(2)

A

LETTER

FROM A Papist

GENTLEMAN

OF THE

Romish Religion,

To his BROTHER a Person of Quality of the same RELIGION; Perswading him to go to Church, and take those Oaths the Law directs, Proving the lawfulness thereof by Arguments not disagreeable to Doctrines of the [illegible] CHURCH.

LONDON,
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Dear Brother,

THE buſineſs of your pleaſant Letter I can no ways judge could be the motive of its jocular ſtyle: Is conviction for Recuſancy ſo ſlight a matter, that it is only to be laught at, or is it that you have a mind to give his Majeſty two of your three thouſand a year? I fear not but it may be then you have been reading Mr. *Cowley*'s Verſes out of *Heſiod* lately.

Unhappy they to whom God han't reveal'd
By a ſtrong light, which muſt their ſenſe controul,
That half a great Eſtate's more than the whole;
Unhappy from whom ſtill conceal'd does lye
Of Roots and Herbs the wholeſom luxury.

But truly, Brother, believe me, if theſe Verſes were Canonical Scripture, yet would they be too little to keep body and ſoul together, when the ſeiſure is made by the Sheriff.

Yet is not 2000 a year worth inquiring after, at leaſt to know ſome ſmall reaſon for parting with it? Methinks it ſhould be ſo; I'm ſure, if it was mine, I ſhould cry two words to a Bargain before I parted with a ſouſe of it, except ſome body would ſecure me *Terra firma* in Heaven for Repriſals. And for your ſake I am reſolved to argue the point with our Holy Father the Pope, a little to know why we his poor deſpiſed Children in *England* are bound to do ſome things at his commands, he no ways expects from his

more indulged ones in other Nations; and such things too that practised produce our utter ruines.

Now good honest Friend Mr. Jesuit, mind not me, but follow your more necessary Imployments of answering the Doctors *Stillingfleet*, *Tilleson*, and *Floyd*, with the rest of the Papist-Grinders: For I am no ways denying the Popes Infallibility, but will give him fair play, and allow him to be a more considerable person of Honour than consists with the posture of the times, or my present affairs.

Nay, if it will do him any service, I will grant him at present to be not only Supreme Bishop, chief Ruler, universal Head, or sole Head of the universal Church; but let him be as great, magnificent, and powerful as his most flattering Courtiers would have him, that is, as great indeed, as the Devil himself pretended, when he proffered the whole Earth, and consequently universal Monarchy to our Saviour for a little worship. Let him be all this at present, if he pleases, say I, yet I hope to prove that an English Roman Catholick, and consequently you, Brother, may go to Church as the Law directs, nay ought to do it notwithstanding any commands or pretended commands from him or his holy Predecessors to the contrary.

For let us consider, that this Omnipotency of his power, be it more or less, must needs terminate in this, that he has no power where he will have no power, and cannot command where he will not command: Nay, I may safely conclude, That a good Catholick may believe he does not command where he plainly, openly, and solemnly says, he will not command, till he unsays that saying.

This

This in plain terms is the Popes fate now in *England*, they have long ſince by an unrepeal'd publick Act of their Authority, Excommunicated in the higheſt manner this whole Nation; interdicting to the very ground that feeds us, and the air we breath, any ſpiritual Bleſſings or Benefits.

Now this ſolemn Excommunication not only caſts out of the Fatherly protection and care of the Pope, thoſe who fall under it; but deprives them of the uſe of Sacraments, Maſſes, Indulgences, Churches, Succeſſion of Biſhops, Prieſts, and Holy Orders, and all other Chriſtian Rights and Priviledges whatſoever, as plainly appears from the very form uſed in doing it; as likewiſe in the practice of this Kingdom in King *John*'s Time, as is proved by our Hiſtories, when for ſix years this Kingdom remained under it; and lately in *Venice*, when the Jeſuits left that State rather than obey the Senate, in performing Holy Offices contrary to his Holineſſes intention, which Act of theirs they to this day juſtifie.

I might inſtance many more Examples, to prove the ſad Condition of Countries Excommunicated, if the Exalters of the Popes Authority were Infallible, Heavenly Oracles: But I having nothing to do in that point, ſhall only glance at thoſe things neceſſary to my preſent purpoſe, which is, to ſave your Eſtate, Brother, and therefore ſhall ſtill allow the Pope his moſt extended Infallibility, ſince that makes not at all againſt me in this Argument. For 'tis not material to me that Father *Paul*, Author of the Hiſtory of the Council of *Trent*, does in his defence of the State of *Venice*, againſt the proceedings of Pope *Paul* the Seventh, prove, that Excommuni-

communication is a ſpiritual puniſhment, which implies there ought to be an offence, and that except there be, the Cenſure cannot reach the Perſon againſt whom it was intended. I ſay, though this be reaſonable, nay, may be unanſwerable as to the thing then pleaded for; yet it will be no ways ſatisfactory to the point now in hand, which is, whether the Pope has any Authority left in *England* or no, for that is plain he has not; for though at firſt it may be all our Grandfathers did not juſtly incur ſo rigorous a ſentence, as to be wholly lopt off from the Catholick Church: yet that Pope that excommunicated them, and thoſe ever ſince, have abſolutely refuſed to have any Spiritual care of them, and conſequently command over them; renouncing it then, and Annually renewing that Renunciation ever ſince; ſo that there has been no continuation of Biſhops in this Kingdom, nor cannot be according to the Inſtitutions of the Roman Catholick Church, till that ſolemn Excommunication be taken off.

In this Condition is *England* and *Scotland* put by the Pope, whilſt *Ireland* our neighbour and fellow Subject Kingdom ſtill continuing in his Holineſſes good Grace, enjoys all the Priviledges from him of the moſt Catholick Country.

So that I conclude, the Pope's Infallibility will certainly reach this, at leaſt; That he has Power to refuſe to Govern, Command, or Protect all he pleaſes, and whereſoever he pleaſes: amongſt which Places, I take *England* to be; ſince he, and all his Predeceſſors ſince *Pius Quintus*'s Time, have ſolemnly declared it to be ſo.

Then, Good Father *Clement*, ſince you will have nothing

nothing to do, I desire you will still stand by, and let us shift for our selves as well as we can. As for the Gentlemen Missionaries you have sent to convert us, I hope we shall be able to deal with them well enough, for all we go to Church; which I am about to prove to you, Dear Brother, we may lawfully do.

First, The thing in it self is by all Casuists in the World allowed to be no Sin, but wholly Indifferent; as is plain from the Practice in *France*, and all other Nations. But this is such a Truth, that should I bring Arguments to prove it so, it would appear as impertinent in me, as a long Harangue would be to prove there are such things as Penal Laws against Recusancy in *England:* which, I suppose, to you, Brother, would be very needless.

Now this granted, That it is not *Malum in se*; how then can it be a Sin? Certainly it must be against some expres Command to the contrary; and so it will fall under that Head of *Malum Prohibitum.* Now if I prove it not under this last, then it can be no Sin at all: And this will be no hard Task to perform.

For, Dear Brother, do but bestow a very little thinking (Half as much as a Meditation before a Mass, will serve) of that Authority which the Pope has left himself in *England*; and you will find, that all Bulls formerly sent, or hereafter to come from *Rome*, during the continuance of this Excommunication are to be lookt on here as fraudulent, false, and forged ones, no ways binding the most zealous of his Holinesses Children, nay rather as things that in a most abusive manner give the lye to the solemnest Discipline and Rights of holy Church.

For

For in no Action can his Holineſs ſo clearly expreſs his intention and power as in thoſe of ſolemn Excommunications againſt Nations, they being the moſt viſible and publick demonſtrations of his pretended Omnipotency in governing the Earth. Now is it not more than Schiſmatical Inſolence to affirm, that his Holineſſes Empire and the Church is ſo divided in it ſelf, as that one perſonal Act of his ſhould poſitively contradict and give the lye to another, as it muſt plainly do, if he after the ſolemn Excommunication of a Nation, ſhall, during that cenſure, ſend any Bull of Direction to guide the people thereof in their journey to Heaven, whither he openly declares they never ſhall arrive, having as much as in him lies, ſealed up the Gates of Glory to them? For to this purpoſe or none tend all Excommunications, which are purſuant to the promiſe of Binding and Looſing. Therefore from this reaſon I gather that ſeveral things done and taught by the Jeſuits and Miſſionary Prieſts here, not only fall under Proteſtant Laws of Treaſon and Catholick National Laws of *Præmunire*; but are alſo contrary to the Fundamental Rules and Practices of the Roman Catholick Church it ſelf.

For an inſtance, Indulgences given by his Holineſs to the Catholick Church in general, theſe are often publiſhed at Maſs and in Sermons by Miſſionaries here, and the means to obtain the benefits of them zealouſly purſued and performed by Catholicks. Now allowing the utmoſt benefit to be really in them that ever Pardon-ſeller in *Spain* pretended, yet to Engliſh Roman Catholicks they can be nothing worth; for by that infallible power reſides in the Church beſt expreſt

preſt in lawful general Councils, of which ſort we all ſay the Council of *Trent* was. I ſay by this infallible Power and in that Council is taught, That the intention of the Agent is abſolutely neceſſary to the performance or end of any Religious Action, or the benefits to ariſe thereby. Inſomuch that the intention of the Prieſt, directed to the contrary, ſhall null or rather make abſent the Sacrament of Baptiſm or any other Rite, notwithſtanding all Ceremonies neceſſary were performed.

Now if this be truly ſo, as you and I, nay all Roman Catholicks are bound to believe, how much more will it operate in this trick of Indulgences, which flow only from the Fountain of the Popes good pleaſure, and can certainly operate no farther than he intends them, which cannot be to *England*, or any Engliſh man, they being put wholly out of his Fatherly care and protection by his grand Interdiction, the beſt diſcovery of his intention that can be, except when he expreſſes himſelf in a general Council?

Pardon this ſhort digreſſion concerning Indulgences, it being only to illuſtrate this infallible Truth, That theſe Indulgences or any other Bull in general or directed in particular to this Kingdom, cannot be ſuppoſed to flow from the Popes intention, ſince they ſo palpably are againſt his more ſolemn declared pleaſure, which he annually renews. Nor ought any Roman Catholick here look on them but as the tricks of private Miſſionaries for their own advantage, ſince they perfectly contradict, not only the Laws of the Nation, but the Fundamental Laws of the Romiſh Church it ſelf.

We may indeed ſpeak of Popes Bulls, Brother, as of Letters Patents obtained from Princes of courſe, which though, when according to Law, are binding, not only to Subjects, but againſt themſelves and Succeſſors; yet when they proceed contrary to the Fundamentals of their Government, then are they of no value, but in themſelves void, Mankind always in ſuch caſes ſuppoſing the Prince to be deceived in his Grant: So ſtands the Caſe here. Till his Holineſs takes off the Excommunication of this Nation, which is an effect of his plenitude of Power, and accords with the Fundamentals of his Regiment; no Bull ſent hither ought to be taken notice of, they being in themſelves apparently void, as well as contrary to the Laws of the Nation, made in Catholick times, near two hundred years before the Pope caſt off it, or it the Pope: Bringing in a Bull to this Kingdom without the Kings leave, being then made *Præmunire*, which Law was for all that time complied with by very many, and as we ſay, Good Popes.

To ſum up all, it comes to this: Things in themſelves no ſins, cannot become ſuch, but by ſome lawful prohibition. Going to Church in it ſelf is no ſin, nor can it become ſo by the Popes Command to a Country in which he renounces all Power: *England* is ſuch a Country; therefore till he or his Succeſſors take off the Excommunication, no Catholick is obliged to take notice of that, or any other pretended Command ſent from him hither, but perfectly (*è contrà*) Therefore going to Church is lawful in *England* for Roman Catholicks.

But not to leave the point thus: I begin to doubt extremely,

extremely, whether we are not obliged in Conſcience to go to Church as the Law directs, or at leaſt when we omit it, freely to pay the penalty. For it is granted on all hands, that a thing not *malum in ſe* may become *malum prohibitum*, if commanded by lawful Authority, which I hope none of us will deny the Government in *England* to be: I'm ſure he that ſhould, would deſerve the ſevereſt execution provided by the moſt ſanguinary Law. Now the Government of *England* requires all the Subjects thereof to meet together at ſuch a time and ſuch a place, no matter where, ſuppoſe it *Salisbury* Plain; doth any man think he would deſerve the protection thereof that ſhould obſtinately, without lawful excuſe, refuſe to come thither? no certainly he would not, only incur deſervedly the penalty provided; but ſpeaking like Chriſtians, who are directed to obey for conſcience ſake, he would commit a grievous ſin againſt God. Now what excuſe can we make for our obſtinacy, in refuſing to go to the Churches at times commanded? The Popes pretended Commands will not do; for were they more binding than the Laws of a Nation, which certainly they are not, yet can we have none ſuch from him, having no Biſhops or Spiritual Superiours left, whom we might or ought to truſt for the truth of them when they came, and we have his too too ſolemn promiſe, that he will have nothing to do with us. This being ſo, I am afraid the private diſcourſes and falſe pretences of private mercenary Jeſuits and Miſſionaries will not be a ſufficient Baſis to rely upon before the laſt Tribunal for ſuch obſtinate reſiſtance againſt lawful Authority in things in themſelves wholly indifferent.

Now, Brother, I know Mr. Politick the Jeſuit, if you ſhew him this; will preſently bleſs himſelf with the ſign of the Croſs, deſire all to joyn in a *Pater noſter* and *Ave Maria* againſt the infection, and then dogmatically affirm I am turned a rank, nay dangerous Heretick. Your Daughters muſt be deſired to viſit me no more, for fear of perverſion; nay you will be perſwaded to double my Annuity, on condition I never ſee your face again. Well, if theſe afflictions ſhould happen, I cannot help it; but for the mind I am in, it muſt be ſtronger Arguments ſhall hinder me from avoiding conviction, as long as with a ſafe conſcience I can. And I think there are none ſuch; for I have conſidered all I ever hitherto have heard, and to me they appear weak and impertinent. But that I may not be thought only to affirm this, I will ſum up all I know any thing to the purpoſe.

To begin firſt then with ſcandal, which is one Argument mainly urged, I ſuppoſe it can never be intended, that if a weak Brother, *id eſt*, perhaps a Fool, ſhall be troubled in mind that I have ſix diſhes of meat at my Table, and himſelf and many better Chriſtians than I, have, it may be, ſcarce half a one; That I muſt therefore, for fear of being an eye-ſore to him, retrench my ſelf to his fragments. And yet S. *Paul*, as to his own practice, ſeemed to reſolve this, ſince he ſays, he would never eat meat whilſt he lived, rather than offend the weak brethren: So I ſuppoſe, and reaſonably, that his Doctrines of Scandals were calculated for the uſe of Chriſtian Teachers, and thoſe that ſought to be Rulers in the Church. For had he intended them for all Chriſtians, I am afraid they would have proved heavier

heavier burdens on Believers than ever were impoſed on the Primitive obſervers of the Moſaical Law, and would have but ill accorded with the great Argument for Converſion, which was Chriſtian liberty from duties which they and their forefathers were not able to undergo. Nor is it reaſonable to think I am bound to part with two thirds of my Eſtate, becauſe ſome fool my neighbour may think me an Heretick by my going to Church; no, let him think on, the ſin is his, not mine, who do nothing but what in it ſelf is lawful, and what becomes my duty by the Laws commanding it. But he judges amiſs of my interiour Faith by my outward actions, though lawful, and therefore ſins in want of Charity. Thus much I believe may ſerve for Scandal, though much more might be ſaid.

The next Objection proceeds from this, that it is made the ſign of Faith, and therefore he that complies in it, owns the Church of *Englands* Doctrine: but this muſt be by all rational men poſitively denied, if they will conſider theſe following Circumſtances.

Firſt, when going to Church was commanded in *England* by a Penal Statute, it was deſigned rather for opportunity to inſtruct people, educated Roman Catholicks, in the Principles of the Proteſtants, than as an Act of general Uniformity in Faith, which could not ſo ſuddenly be expected. Next, it would have been a vain way of trying the Faith of Papiſts by a thing they might lawfully, according to their own Religion, do: nor can we believe the people of *England* aſſembled in Parliament could be ſo ignorant, had they been minded then to have known the hearts of perſons, as to have fallen upon ſo impertinent a teſt. For

to

to my ſorrow we find, when they intended, that they knew a ready and infallible way to do it.

But ſuppoſe the worſt, that the Law deſigned it as a tryal of Faith, and a diſcovery of perſons Popiſhly inclined (permitting ſtill the thing in it ſelf to be no ſin) that can no ways oblige you to the refuſal of it; for I would deſire Mr. Jeſuit to tell me, why you are more obliged openly to declare your ſelf a Catholick, than he is to owne himſelf a Prieſt? fear of death I am ſure ſhould not deter him, ſince, if he dyes, his Faith calls it Martyrdom, which gains a Crown of Glory, a temptation ſufficient, and much beyond what any of them will ſecure you for your Eſtate. But if he, like S. *Paul*, thinks it lawful to get down in a Baſket, you may as adviſedly come to Chriſt by night. For is it reaſonable, that becauſe the Law ſays, Every Popiſh Recuſant ſhall be convicted, that therefore I ſhould be bound preſently to run and confeſs my ſelf a Papiſt at the next Seſſions? For 'tis as rational to affirm that, as to ſay I am bound, when the Law preſcribes a thing to be done for tryal of my Faith, which I may in Conſcience do, preſently to cry out againſt it, and refuſe it for that cauſe only. If that were ſo, then it would be no hard matter, by another trick, to baniſh us all the Realm, by declaring, whoſoever ſhould be within this Kingdom on the 25 of *March* next, ſhould be eſteemed to all intents and purpoſes no Roman Catholicks, but good Sons of the Church of *England*, whether they communicated in it or no.

Now I am afraid, Brother, if ſuch a ſign of Faith as this were by the Law made, yet Mr. Jeſuit would find many excuſes for ſtaying after that time. But if he would

would not, I wiſh with all my heart the Parliament would make ſuch a Statute, that we might be rid of them. But they know better their Principles, than to hope ſo fair a riddance by ſo eaſie a way; no, theſe are but weak Arguments to lead the too believing Laity by the noſes, it muſt be ſtronger toyls that ſhall catch their Elephant underſtandings. Therefore, good Brother, let you and I be no longer held by them. For 'tis plain, neither ſcandal nor *ſignum fide* ought to be a hindrance to me from doing a thing in it ſelf indifferent, and which becomes my duty by the Law's commanding it.

The next material Objection I have from ſome of our Spiritual miſleaders met with, is, That as Faith comes by hearing, ſo does Hereſie; therefore we ought to avoid the place where it is taught, leſt we ſhould be miſguided into it. If you anſwer this, by ſaying the Argument would hold all the World over, and ſo make it a ſin as well in *France* as here, then they reply, That in Catholick Countries, though you hear Hereſie in a Proteſtant Sermon, yet you have a Catholick Sermon preſently clears the point, and makes it indubitable on the Churches ſide. Now this by the Prohibition of Religion is prevented in *England*, and therefore the caſe very different.

One would think this a very ſubtile Argument, ſo notably put together, that there would be no poſſibility of anſwering it, if one did but very much ſtand in awe of the Magiſterial Mountebank, that it may be with a world of Rhetorical flouriſhes, and grave Quotations out of *Scotus*, doth poſitively affirm this to be the opinion of all School-men, nay the Catholick Church it ſelf.

elſ. But Heaven knows, examine it a little, and you will find it a meer rope of ſand, as ſolidly compacted as their ridiculous, though politick Doctrine of Probabilities, and no better.

For will not they, or any obſerving man confeſs, that the Romaniſts of *England*, take them one with another, are ten for one more learned and confirmed in the Principles of their Religion, than thoſe of *France*, or any Catholick Country indeed are? He that conſiders that moſt of the Natives of this Kingdom, who are of that Faith, be either Perſons of Quality, who have had great advantages by Education, or Converts from the Proteſtants, will eaſily believe there muſt be a great diſparity between ſuch and the general herd of Vulgars, bred in Countries under a Religion no ways famous for making the common people too knowing.

But ſuppoſe it is not ſo, and that thoſe who have ſo long ſtrugled under difficulties in their Fortunes for Conſcience ſake, have done it more out of ignorance, the Mother, as ſome ſay, of Popiſh devotion, than of underſtanding; yet will the former Argument waſh away in that part which ſays, thoſe in Catholick Countries have more opportunity of being untaught what they might prejudicially have ſuckt in. For none will deny, but more Doctrine is collected from rational diſcourſes *Pro* and *Con*, than from ſuch ſet Speeches as Sermons are. Therefore conſidering there are few Gentlemen in *England* of the Romiſh Religion, who have 500 *l. per Ann.* but keep a Prieſt in their Houſhold; How is it likely, if good Arguments be to be found againſt every thing the Proteſtants teach contrary to the Romiſh Faith, but that they ſhould preſently

ſently, upon inquiry, have their new-raiſed ſcruples at Church by ſuch ſooner and ſtronger wip't off, than a perſon that it may be in a Catholick Country may go to Church both Sunday and other Holy-day a year before he hears any Sermon, caſually to glance upon that point, whereon ſuch doubt of his aroſe? And I dare affirm, ſo ſweet is the profit the Jeſuits and Miſſionaries find in *England*, that there reſides, and is like to do conſtantly ſo many here, that few Papiſts need to be a day from ſpeaking with one of them, and that is an advantage equal to the moſt Catholick Nations.

But ſuppoſe all here ſaid nothing to the purpoſe, but that 'tis likely many would be changed in time, and become Proteſtants; What is that to you or I, Brother, or indeed to any rational Lay Catholick in *England*? for he whoſe caſe it ſhould be, need not much repine that his conſcience ſhould lead him into a more advantageous Religion as to this World: and for the other, he would no doubt be as confident of a good place there, if he acted purely upon the ſcore of Faith, as ever he was whilſt he remained Papiſt.

But I confeſs many ſuch accidents as thoſe would ſhrewdly inconvenience the Prieſts, and in time leſſen their number: But ſtill what is that to you or I, Brother? I find no Canon of any General Council commanding you to give two thouſand pound a year to increaſe the number of Prieſts, or to maintain thoſe that be. Nor can I believe Chriſtian Religion ever obliged its Profeſſors to ſuch remote conſiderations. No, all men were not bound, like S. *Paul*, to love to that extremity, as to wiſh damnation for their Country-mens ſakes. They that can, let them; but ſtill ſay I, Brother,

ther, keep your money, you'l repent it elſe one day, take my word for it.

Another Argument I have heard ſtarted, which is, that if Catholicks ſhould go to Church, yet the Parliament would at laſt find out ſomething like the late Teſt for Imployments, by which they would be found out, and ſo conſequently be no ways the better, but ſuffer equally to what they ſhould do by Recuſancy.

To this I anſwer, that I ought as a Chriſtian to obey the Government, as far as I can in Conſcience, and that for Conſcience ſake, and to truſt the Divine Providence, in whoſe hands are the hearts of Princes and Rulers, for any thing by them for the future to be commanded; which if I cannot then comply with, I muſt either follow the direction of flying in perſecution from city to city, or patiently ſuffer for my ſins what God ſhall pleaſe by the Law to impoſe upon me. But this ſuppoſition, how well grounded ſoever it may ſeem, ought not to hinder me from complying, as far as I am able at the preſent; ſuch teſt, when, if ever, it comes, will then with its penalties be time enough to ſubmit to.

But I am of the opinion, and not without ſome colour of reaſon, that ſuch a Teſt may never be, eſpecially if Catholicks would leave off Recuſancy. The grounds for my conceptions are theſe.

The People of *England* boaſt of this Priviledge beyond moſt *European* Nations, if not all, that no perſon is bound by Torture or Oath to accuſe himſelf of any thing, which by the Law is penal; but that proof ought to come of matter of Fact before he ſuffer. Now this ſo rational a Priviledge, which frees us from the ſlaviſh ſubjection of thoſe governed by the Civil Law, all

Engliſh

Engliſh Parliaments hitherto have been extremely tender of, as appears by thoſe Laws provided for ſecurity of Religion ſince the Reformation. For every perſon knows, they who incur puniſhment by not complying in Forms of Worſhip, or matters of Faith, do it out of tenderneſs of Conſcience, though it may be miſguided. Now ſuch perſons one may well believe would ſcruple above all things a falſe Oath: Therefore if our Law-makers had not been very careful of this Engliſh Free-mans Priviledge, they might have quickly left a latitude to Judges, and other inferiour Magiſtrates by Interrogatories upon Oath to have found out all perſons, that had through Conſcience offended againſt any Eccleſiaſtical Law; as, Whether have you heard Maſs within a year or no? have you aſſerted or taught the Popes Supremacy, or brought in Croſſes, Beads, or Images, &c. But we find no ſuch Method allowed; which can ſpring from nothing but the care of this Sacred Engliſh Priviledge, always firmly rooted in the breaſts of the Compilers of Engliſh Statutes. For I ſhould think, if ever they would have ſtrained the point, it would have been in detection of Jeſuits and Roman Prieſts, a people they have long ſtrove wholly to extirpate, as appears by the puniſhment provided for them, which is not only made capital, but of the higheſt nature any Engliſh Law has yet preſcribed; yet they never went ſo far as to force them that were ſuſpected upon Oath to purge themſelves: which had they done, none could have been left alive in the Nation. For I have this opinion of them, not one would, upon ſuch examination, deny himſelf, except he intended to deſert his Faith: And

this the Makers of thoſe Statutes as well knew as the late Uſurpers over all the Laws, Rights, and Priviledges of this Nation did, when they took that never-failing Method of examining them upon Oath; and detected, though not executed, all they tryed that way. But the lawful Princes and Parliaments of this Kingdom have always avoided opening ſo dangerous a gap to perfect ſlavery; for it would be leſs unreaſonable for men on corporal Oath to declare whether they were guilty of Treaſon, Murder, Theft, Forgery, Adultery, or any other notorious crime againſt the Law of Nature and the Nation, than that they ſhould be forced to diſcover thoughts, which if not reduced into practice, could concern the good or ill of no perſon but themſelves, and yet when known, ſhould bring them under heavier penalties than ſome of the other crimes. For this reaſon, till I ſee it, I may juſtly believe there will never be ſuch a way appointed in our Law for ſearching mens ſoles, whatſoever probability there hath been of it lately.

As for the late Teſt, that can no ways be brought in objection againſt me, ſince Nations may preſcribe what Gates they pleaſe, through which any perſon is to arrive at preferment in it. And it is not at all unnatural or unpracticable, that a proper Oath be provided for any one that takes an Imployment; nay, it hath always been the Law and Cuſtom of this Nation, ſince Chriſtianity, if not before, for every perſon to ſubmit to ſome ſort of Oath before he entred upon any truſt in the Common-wealth; inſomuch that the Kings themſelves are not wholly exempted from it. Now it is not at all more unreaſonable, that one general Form over and

above

above ſuch particular ones, ſhould be preſcribed by the Law-makers at their directions, for all ſuch as ſeek preferments to comply with, or not be capable of them; for what I receive, but of Grace cannot be called a penalty, if I want: and under that head fall all imployments in a Kingdom that are either of profit or honour. For I ſuppoſe the being hindred from thoſe of trouble will by no perſon be eſteemed a grievance. So the impoſition of the late Teſt cannot be called a purgation of men by their perſonal Oaths, to bring them under legal Penalties. Nor can indeed the Oaths of Allegiance and Supremacy, it having been the Method of all Common-wealths to preſcribe ſome Form to the Subject, whereby to own the Government; and that is in themſelves diſcretion all. Nor ought we to ſuppoſe a Government can be malicious to its Members, or that it would lay ſnares for them, but rather that whatever they preſcribe, proceeds from the deſire of general ſecurity, they ſtill framing their Oaths ſo, that they know all good Subjects may take them: if any cannot or will not, it lies upon ſuch to quit the Protection of that State, and no ways obliges the State to comply with their obſtinacy: And this laſt word for ought I know, doth too much belong to thoſe that firſt brought up the cuſtom amongſt Catholicks, of refuſing the two aforeſaid Oaths, of which more hereafter. In the mean time I only affirm, that we ought not to omit doing our duty to the Laws, as far as they now bind us, becauſe there may come ſuch as we may no ways be able to comply with. But it is an hundred to one too, that may never happen from the reaſon aforeſaid; and it would be more unlikely, if there was a general compliance in the

mean

mean time to thoſe things all rational men know Roman Catholicks might do, nay which many known, wiſe, and devout men of them have in former times, and do at this preſent practiſe, as I could inſtance beyond all controverſie, if I pleaſed, in this thing at preſent treated of, which is going to Church. But, Brother, I know it would be needleſs to you, as well as prejudicial to them, and therefore I ſhall forbear names in a thing ſo notorious; only be you as wiſe, and do not be led by the noſe to infallible ruine, by the bold, nay ſawcy aſſertions of Fellows, whoſe buſineſs is to ſecure themſelves, command over your conſcience no ways belonging to them, that they may thereby be Maſters of ſuch part of your remaining Eſtate, as ſhall be neceſſary to their plenty or prodigality; which if they, contrary to their duty and function, ſought not, why ſhould they ſtudy falſe Poſitions, and impoſe them on you meerly to inſnare your Eſtate? They ought ſurely to open the narrow way to Heaven at leaſt as wide as it might be, and not lay ſtumbling-blocks in our ways, never found out but in this miſerable nook of the World, nor no where taught or thought on, but by our Miſſionaries from *Rome*, and our traiterous Fugitives, that on Religions firſt alteration fled thither. For ſuch being guilty of hainous Treaſons againſt our Princes, ſought firſt to juſtifie their villanies by pretences of Religion, having by their pernicious, falſe, and damnable Doctrines and Poſitions, not only done vaſt hurt to the honeſt Profeſſors of that, but have placed upon it ſcandals not to be wip't off but with the end of time it ſelf. And theſe Wretches being grown deſperate with the ill ſucceſs of their damnable deſigns, daring not to return into that King-

dom,

dom, againſt which they had ſo traiterouſly practiſed, ſought to involve all the moderate Party, which ſtayed behind, into ruine, in revenge of their not unanimous joyning with them in their black Attempts on the Perſons of our lawful Princes and Governours. Theſe were the perſons that ſuggeſted to the Popes motives, for thoſe idle Bulls ſo ſent in contradiction of their more ſolemn declared intention, if any ſuch did come, which we are no ways obliged to believe, did or could; but if they had or did, 'tis not at all material, they being no more ſignificant in *England*, than a Letter Mandatory from the Grand Signior would be.

And indeed ſome of theſe pretended Bulls contained ſuch Commands to their beloved Catholick Children here (as they were pleaſed to call them in contradiction to their Excommunication) that they ſhould unanimouſly have Petitioned the King, that both the Original and all the Copies of them might have been ſolemnly burnt by the common Hangman. Nay, any perſon that knew him, ought upon pain of damnable ſin, to have diſcovered the bringer of them; in that if a Prieſt, he might have received the well-merited death of a Traitor; or if a Lay-man, all the Law has in that caſe too eaſily provided. I need not inſtance which Bulls I mean, they are ſo often brought againſt the Catholick Religion it ſelf by Proteſtant Writers, and ſufficiently to the ſhame, though not of the Popiſh Religion, yet of thoſe Popes who granted them, and of thoſe Papiſts that adhere to, or defend ſuch Roman Court Doctrines.

But from ſuch Catterpillers of the Chriſtian Faith as thoſe, did ariſe, amongſt many more dangerous new Poſitions,

ſitions, this of being not lawful for Roman Catholicks to go to Church, as the Law requires in *England* And for the ſakes and on the wiſe Authority of ſuch deſperate Caſuiſts, have many of our fooliſh Forefathers loſt two thirds of their Eſtates, rendred themſelves ſuſpected to the people, and incapable of ſerving, as they ought to do, their lawful Prince in his extraordinary occaſions; which when they have attempted to do, this their open unneceſſary diſſention has caſt an *Odium* unjuſtly both on himſelf and his actions for imploying them.

Now if it be inquired by you or your Confeſſaries, what Arguments could move Pope *Pius Quintus*, or his immediate Succeſſor, to ſend a Bull of Prohibition to the Catholicks in *England* for going to Church, the thing being in it ſelf no fault, and as I affirm ſo poſitively againſt the Rules and Practices of their Predeceſſors, nay againſt the Fundamentals of their Government: To this I muſt anſwer, There were divers Motives in Policy, as they obſerved things of this Iſland in *Rome*, though none in Religion.

Firſt, they were perſwaded by ſuch Traitors as fled hence thither, that almoſt the whole Nation remained Catholicks, notwithſtanding the Queen had altered the Government And that they would find them ſuch ignorant ones too, as their Holy Predeceſſors had known them, when they made this Nation the Pack-horſe to their pride, and a perpetual Fountain of Money to their Treaſuries, which ſome of them with admiration boaſted could never be exhauſted. Upon theſe ſuppoſitions they were made to believe, that ſuch a Bull would cauſe this mighty Party to be viſible, not only

to

to their Enemies, but themſelves, to the terrour of one, and incouragement to the uniting of the other Party. This was one, and it may be the grand motive of that Proceeding, ſo contrary to all Preſident.

The next, and in all likelihood not the leaſt motive might be the perſwaſion of thoſe Traitors, that there would be found in *England* many as deſperate as themſelves to bandy together, take Arms againſt, or aſſaſinate the Queen, when they ſaw their Party ſo conſiderable as this would prove it, beſides the bleſſing, muſt needs attends ſuch pious endeavours, warranted by his Holineſſes care and direction.

But all theſe Policies and Practices did by the wiſdom of that Queen and her Council, only tend to the diſcovering ſuch deſperates, as being of the like Principles, thereon took Arms, and were for it deſervedly executed, or forced to increaſe the numbers of thoſe Fugitives in voluntary Baniſhment. But notwithſtanding this might, like a Meſſage from Heaven, ſufficiently have warned the Catholicks of *England* from hearkening any more after News from *Rome*, at leaſt till the Popes ſhould have been ſo charitable to re-admit them into the Congregation of the Faithful, by taking off the Excommunication from them; yet have the private Miſſionaries (being all ſent into the Nation under the title of Traitors by the Law) ſo adhered to the Tenets of the Court, as well as Church of *Rome* which ſends them, that they have by degrees inſtilled into the Laity here many Principles of Adherence to the Pope, that would be laught at in *France*, and ſome few other rational Catholick Kingdoms. Amongſt which, this of thinking the Popes Commands can make

that a ſin, which in it ſelf is none, ought to be accounted one. Upon which ground alone they refuſe to obey the Law in the thing now in debate; for which I think they are but juſtly puniſht with the loſs of their Eſtates.

But, Brother, be you wiſer, ſtudy the Catholick Doctrine, as it is taught by Fathers and Councils, and not as it would fain be made by the novel Poſitions of *Ignatius*'s Followers, between whom and you there is a vaſt difference, both in the duty you owe to the King and his Laws, as likewiſe in thoſe you ſtand obliged in to *Rome*.

For firſt, they and all other Miſſionaries, being the hour they ſet foot here, become Traitors, and ſo conſequently in all the buſineſs they come about, not only out of the protection, but under the ſevereſt cenſure of the Law; no wonder they have not the ſame reſpect for it other Subjects ought to have, but dare practiſe leſſer contradictions that offend in the greater. Nay it may be againſt their going to Church Scandal would prove a good Argument, ſince they pretend to be ready always to lay down their lives for the increaſe of their Faith; but this is no ways your or any other Lay Catholicks caſe, the Law, if you obey in ſome particulars preſcribed, giving you equal protection with others of the National Principles.

Another thing to be conſidered, is, That the hour they receive Holy Orders, they take an Oath of Subjection to the Pope, and ſo by the ſame Act become Renouncers of their Allegiance to the King, and Subject to his Holineſs. Now how far this may be conſonant to Chriſtian Religion, I will not examine here; but

but I am ſure it puts them in a very different poſture, as to the Popes deſigns, to what any other Catholicks are in: They being, according to their vow, upon the leaſt ſummons to leave the Country, and to go where his Holineſſes good pleaſure appoints them; which I hope none of them will be ſo impudent to ſay you are obliged to do, Brother, except it be ſuch as hold the mad Doctrine of Popes having power to depoſe Princes. For though the other doth not ſound ſo ill, yet is it in effect the ſame; for to be able to command a Princes Subjects out of his Dominions, doth imply a power of leaving him none there, which would produce an effectual depoſing of him in the end.

Another conſiderable difference between Lay Catholicks and Miſſionary Prieſts in this Kingdom, ariſes from the ones having Eſtates, and the other none. For no body can blame the laſt ſort of Gentlemen to deſire their power over the Conſciences of the other ſhould be as far extended as might be, if one conſult, as moſt of mankind does, their private intereſt. Alas, what is it to Mr. Politick your Ghoſtly Father, that you ſhall loſe by your Conviction 2000 *l.* a year? his Allowance will be never the leſs, he knows, but his power will be much more. For in the firſt place, that is a ſure ſign you are as firmly reſolved to live and die a Catholick, as if he ſaw you at the ſtake to receive Martyrdom for it. Do you think after that he will not take upon him to direct you what Servants it is proper you keep, how many Horſes, and when you may uſe them for recreation, and when not? At what hour Maſs ſhall be, and what is the critical minute for Dinner, Supper, and Bed-time in a well-ordered Houſe? If I had not ſeen

the domineering Domine's extend their ſpiritual Dominion in a devout Family, much beyond theſe ſmall matters, I would have been ſilent; but Heaven knows, and ſo do you, Brother, that in ſuch Popiſh Families, where the Hen crows, theſe are but the leaſt of their inſolencies: For ſuch Women as are very ill-natur'd to their Huſbands, and perhaps ſomething ugly, have little to imploy their time in but Maſſes, Litanies, Roſaries, Jeſus Pſalters, and Juniper Lectures; and theſe are generally great Friends of the Prieſts, with whom they ſhare the Dominion of the Hen-peckt Gentleman, till poor man he is glad to make the Confeſſaries an Advocate to his devout Bed fellow for a Play-day, that he may have leave to meet ſome few Neighbours to duſt a ſtand of Ale, which he wiſhes may prove bottomleſs, that he might not be forc't to return again to keep company by ſtealth with his Fellow-ſervant the Steward in his own Cellar, where he bribes the Butler with a ſtollen Teſter to keep counſel.

Now in this condition, dear Brother, on my next Viſit I expect to find you. By that time I ſuppoſe all things will be put in due diſcipline in your Houſhold, where, no doubt, I ſhall be welcom'd with *Friday*-Fares, and new appointed Faſting-days for my Converſion, or at leaſt driving me out of doors again; but be it as it will, I cannot forbear telling you, that the Prieſts, who have nothing to loſe, will animate you by falſe pretences to incur the Sequeſtration that will ſuddenly ſucceed your late Conviction, whereby they will confirm their yet doubtful Tyranny over your Conſcience, and then ſee what will follow. Beſides the loſs of that goes into the Exchequer, you will find a ſtrange

ſtrange growing charge for Indulgences, Maſſes for your Grandfathers, Fathers, Brothers, Siſters, and all your departed Relations Souls. Nay, if I ſhould be ſo unkind to you as to die too, 'tis not twice my Annuity would pay for all the conditional Maſſes they would ſay were abſolutely neceſſary for my terribly to be doubted Soul. Alas, Brother, you cannot conſider what a chargeable thing devotion in our Religion is, if it be accompanied with viſible ignorance, and that the Prieſt once know the blind ſide, all goes, and there is no ſign of it neither, the Jeſuits having a bottomleſs Bag, into which they throw all they ever have or ſhall get from the fooliſh Penitents of their Order.

I could, nay would, and if provoked, will name ſeveral particular Cheats acted by the Fathers of the Society on devout Catholicks that were their Penitents, and had good Eſtates, but were almoſt undone by them in theſe late times. But I am as loth to ſcandalize them, as I am ſure they will think me by this Paper willing to do it: and therefore I ſhall omit mentioning any of them particularly, eſpecially to you who I know are ſenſible of ſome of them your ſelf. But leaving all theſe particulars, or any thing elſe that may too much reflect, I will return to the matter in hand, which is the lawfulneſs of going to Church, whatſoever they or any of their Predeceſſors have, or can ſay to the contrary.

I think I have made it plain, that neither the Popes Commands, Scandal, ſign of Faith, want of Opportunity to be ſatisfied in the ſcruples Sermons might raiſe, nor the fear of ſome future Teſt, can oblige any Lay Catholick to diſobey the Law by Recuſancy: But

rather

rather notwithſtanding theſe Prieſtly Inventions, they are all obliged in Conſcience to go to Church, as long as the Magiſtrate, who gives vigour to the Law, requires it. Now I will a little touch upon thoſe things that the Law farther requires to be done by Lay perſons, not ſeeking Imployments, and ſo leave you afterwards, Brother, to your prayers and tears, that God would turn the hearts of the Rulers, if you ſhall ſtill obſtinately perſiſt in your reſolution of rather ſuffering in a crowd without reaſon, than ſave your ſelf by it.

Firſt then, let us conſider the Oath of Allegiance, againſt the taking of which there want not numbers of Jeſuits and Prieſts that do exclaim, nor many Catholicks that thereupon fear to take it, though as King *James* well obſerved in the compiling it, there was particular care taken as well by himſelf as others, that there might not be one word in it, which might raiſe a ſcruple in a perſon willing to obey the Civil Magiſtrate.

Yet notwithſtanding, this is ſo certainly true, that I never yet could meet with one rational Argument againſt any ſentence, word, or ſyllable in it (except ſuch as were grounded on that, not only Heretical, but Diabolical Doctrine of the Popes having power to depoſe Princes) notwithſtanding this, I ſay, yet had and have the Miſſionaries ſuch full dependence on the Court of *Rome*, that a great part of them, but eſpecially the Jeſuits and their Devotes did always both then and lately ſtrive to raiſe ſcruples in the Conſciences of the more confiding ſort of Lay Papiſts, to hinder them from taking it; by that means ſtriving as much

much as in them lay, to keep ſome ready for the execution of any deſperate Attempt they might have opportunity to deſign upon the State.

Now, Brother, I deſire you would not take me to be too uncharitable in this aſſertion of mine. For to what purpoſe elſe ſhould they ſtrive to deter men from taking an Oath, the refuſal whereof is of the direſt conſequence, both to Life and Eſtate, and yet wherein there is not the leaſt thing contrary to Religion, except the renouncing all rebellious deſigns be ſuch? I wiſh with all my heart I could frame ſome other leſs reflecting excuſe, both for thoſe Perſons of Quality and leſſer perſons ſake, that have formerly and very lately by their inſinuations, not only ſcrupled, but too notoriouſly refuſed giving the Kingdom that ſmall ſatisfaction of their future Loyalty by taking it; but I fear it is impoſſible.

Now what in the name of wonder can the meaning be, that when the Law, Religion, Reaſon it ſelf, and the Example of many noble, many wiſe, many devout, many, nay moſt zealous Catholicks of the Kingdom's readineſs to take it, ſhould concur to perſwade all to do it, yet that there ſhould be ſtill a Party ſo led away by the dogmatical Authority of the Jeſuits, that without ſhewing a reaſon, dare boldly affirm it not lawful, it may be, as a ſtrong Argument, adding a forc't ſigh, with a *Miſerere* for thoſe that do take it? I ſay that there ſhould be ſtill ſuch a Party amongſt us, that on no better grounds have, and do refuſe ſo juſtifiable and neceſſary an Oath, is not only a great wonder, but a terrible ſcandal to all thoſe of a contrary Religion.

They

They no doubt (and it may be not without Justice) do believe there wants only opportunity for Catholicks to renew all those bloody Stratagems against the State the Predecessors of the Refusers of that Oath did unsuccessfully attempt, though we in our private discourses do never so much pretend to abhor them.

For when they reflect, that few or none of us but hold the Pope can absolve us from any Oath we have or can take, and that many of us resolve not to stand in need of that, but to refuse all Oaths that should oblige us to the performance of our duty to the King; how can such, not having any violent propensity of love to us, but believe that there is some damnable design lockt up in the breasts of such Refusers, in which the others may close when it is ripe, there being no more hold of them than of a wet Eel by the tail, since an absolving Bull upon the Gates, or for a need on the ruines of *Pauls*, makes the Government and us as much strangers, as if we never had seen one the other?

Now I protest, when I have seriously reflected on ancient Popish Plots, on some sorts of Tenets, which we almost think Catholick, as this of the Popes Power of Absolving from Oaths, which Protestants believe, nay and some Catholicks too, means from Allegiance, and on the obstinacy of us to refuse the Commands of the Law in things indifferent; I say, when I have reflected on these things without the prejudice given me by my Education, I have wondred the Laws against us have not been more severe than they are, nay that they almost suffered a people, of whom they could have no more certainty in State-affairs, and so apparently declared humble Servants to a Foreign Authority, to live at all amongst them. Now,

Now, Brother, I will not at all diſpute the lawfulneſs in Religion to take the Oath of Allegiance, ſince I know you have taken it, and are not yet ſo abſolutely bigotted to the Obedience of the ſpiritual Commands of your Ghoſtly Tyrant, but that you be ready on requiring to do it again; ſo that a diſcourſe of that nature would be needleſs to you. But for all that, I will a little glance on that Propoſition ſo generally accepted of, the Popes having power to abſolve at pleaſure any perſon from an Oath he hath taken.

Now that he has undertook to do this, is beyond contradiction, and that ſeveral changes and revolutions in Affairs of the World, both private and publick, have thereupon happened, is as plain. But by what Authority he at firſt aſſumed that Power, I believe is not, and may be worth a rational Catholicks inquiring after, that he may the better know how with a good Conſcience (that will hold teſt before the Popes Superiour at the laſt Tryal) to demean himſelf in a Country, whoſe Magiſtrates are of another Religion.

Now as a ſtep towards this matter, I will beg leave of his Holineſs to believe there were men in the World, and Governments too, before there were Popes; and that there were too amongſt them certain Moral Rules, by which they began, continued, and increaſed in the World. Now no doubt amongſt many others there were ſolemn Compacts confirmed by overt Acts, which they accounted Sacred; and whoſoever, after having entred into ſuch Holy obligations, did violently break them, were by the reſt of mankind either extirpated, if dangerous, or deſpi-

ſed, and never more truſted, if weakly ſo perjur'd.

Now it will as certainly follow, that new Accidents and Revolutions in Common-wealths or Families, might make it morally neceſſary, that the obligations lying upon one or many perſons therein, by ſuch ſacred tyes, ought to be broke for the ſafety it is poſſible of the whole. An obſervation of which Mankind ſoon found out Methods to diſtinguiſh perſons ſo neceſſarily acting againſt thoſe ſacred tyes which we call Oaths, from ſuch as wilfully deſpiſed them; That the firſt ſort, though breaking their Vows literally, might be kept from the ſcandal and puniſhment of Covenant-breakers, whilſt the laſt ſhould remain ſtill under the laſh of the Law, or contempt of their fellow Creatures.

Humane Nature falling neceſſarily under theſe circumſtances, it was requiſite to appoint or agree upon ſome Judgment, which ſhould be abſolute in the point of determining when men were perjur'd by breaking their Vows, and when not, to which perſons naturally would have recourſe before they attempted the doing of it.

Now theſe Compacts, Oaths, or Vows were uſually either in Temples, with the aſſiſtance of the ſacred Miniſters made, or at leaſt ſworn by the Deity or Deities, to which ſuch people were devoted; and therefore Conſultations concerning the neceſſity of altering thoſe Reſolutions, were uſually had with the chiefeſt of thoſe Heavenly Officers: and for this reaſon amongſt ſome, other Princes of large Kingdoms did in ancient time keep the chief Celeſtial Character united to the Regal.

For

For Experience ſhewed, that men naturally ſeeking liberty, began to pervert that obligation which Nature taught, of omitting the performance of Vows, extremely prejudicial to ſociety, into a belief, that there reſided a power in theſe Spiritual Judges of the neceſſity abſolutely to abſolve at their diſcretion any perſon they pleaſed: So quickly the one through ambition of having ſuch an Authority, and the other finding a convenience to ſatisfie their looſe appetites, if they bribed the Poſſeſſors of this Divine good pleaſure, did almoſt acquieſce in this unreaſonable belief, that there was a Power delegated from Heaven to certain men, which made them Gods below: And that ſuch perſons had a power to make that at their good pleaſure no ſin, which in it ſelf, if there be any good thing or bad, muſt naturally be ſo.

This indeed was the general practice of the ancient World before Chriſtianity; inſomuch that *Moſes* the moſt Divine Law-giver amongſt them, did take it to himſelf, though he is far from being commended for it by our Saviour, when he ſpeaks of the Jewiſh Priviledge or general Diſpenſation from one natural Oath, which is Marriage, that *Moſes* was pleaſed, by virtue of this Authority he aſſumed to himſelf, to leave to that whole Nation.

For our Saviour plainly ſays, this Power did not come from God, but was aſſumed by *Moſes* for the hardneſs of their hearts, and that all that Diſpenſation notwithſtanding to put away a Wife, except for the caſe of Adultery (which ſeems a natural diſſolution of the compact) was a ſin.

So that I conclude: Our Saviour who had almoſt as much Authority as the Pope, never did pretend to any like that of making things in their own natures ſinful, to become none; but taught, that it was not in the power of *Moſes*, nor any man elſe to do it.

Then let us deſcend to times ſucceeding that fulneſs of it which produced the Redemption of Mankind. S. *Paul* teaches ſufficiently the neceſſity of keeping Vows; and I do not find his Holineſſes Predeceſſor S *Peter* very frequent with his Diſpenſations. But leaving them, and haſtening to thoſe Ages, in which through the Piety of Chriſtian Emperours, the Popes had arrived to a competency of temporal, as well as plenitude of Spiritual Authority in the World; We do not find for ſome Ages after, that though ſeveral Emperours turned Arrian, any Pope pretended to an Authority of diſpenſing their Subjects from the Oaths of Fidelity they had taken to them.

But it is poſſible ſome may, and not impertinently, anſwer, There was then ſcarce ſuch a thing in the World as an Oath of Allegiance; therefore Diſpenſations from what were not in being, could not be expected.

To this I aſſent, and do well know Chriſtian Religion in its Primitive Innocency taught obedience from the Laws of Nature, which ſome called Conſcience, and did not ſuppoſe any perſons truly toucht with its divine Doctrines, could need any other obligation to perform their duties either to God or their Neighbour, than what their ſacred Initiating Vow of Baptiſm laid upon them. And ſo far I believe the Quakers, not without a true hint, that they needed one

amongſt

amongſt another no other affirmations but Yea and Nay, and that they guided their Converſations by the true Rule Nature had taught them, which the Quakers call the Light within them.

But when Religion became National, and that many wicked people took the name of Chriſtianity more for worldly than heavenly advantage, then were they forced to have recourſe to new ſort of ſolemn Oaths, taken either in Publick Churches, where Kings did likewiſe condeſcend to take new invented Coronation Oaths, and the People Oaths of Subjection in return. In the management of which Ceremony, the Biſhops were the chief Officers, which by degrees hankt a great reſpect to them, and they not a little ambitious of more, taught the dependency of Subjects and Princes one upon the other, not to be from the Laws of Nature, but from theſe Compacts, which their Authority and nothing elſe could make Sacred.

Theſe dangerous Tenets Princes not only at firſt connived at, but made uſe of. For the greateſt part of the World being then ſhifting Subjection from the Roman Empire to native or more neighbouring Dominions, was ſhatter'd into petty Regencies; ſo that the Biſhops, who preſerved a kind of Unity of their diſtinct Authorities in that of the Roman Sees, had a greater power over the common peoples minds, than thoſe Kings of Counties had. So that indeed Dominion was often transferred from lawful Princes that durſt ſtomach theſe ſpiritual Uſurpations, to Uſurpers that would truckle to the Clergy for their good word to prefer them.

Thus all things becoming again as in the firſt corruption

ruption of humane Nature, where every body were forced to ſecure themſelves from violence and oppreſſion by obligations, they believed moſt ſacred Oaths invented or formed by Popes and other Biſhops became the Method; which when there was a neceſſity of breaking, then they were conſulted with as perſons beſt able to judge of that neceſſity, and above all of them the Pope, as the moſt eminent, and then thought moſt diſintereſted Biſhop, he being well provided for in Temporalties, and very much eaſed from ſuch entire ſubjection to the Civil Magiſtrate, as other Biſhops in particular ſtill remained under; ſo from an unprejudiced aſſiſtant to Conſcience, he by frequency of Addreſſes became at length an Umpire, then in a manner ſole Judge of what Oaths or Compacts remained ſacred, and what by contingencies ceaſed to be obligatory. So by degrees, as naturally all men aſpire after Power, he took upon him to give, and the World accepted from him of courſe Diſpenſations from any Vows were troubleſom either to their affairs or appetites; and it may be, if he could have ſtopt here, the World and moſt Princes in it would have been contented ſtill to have made uſe of this impoſſible Power he had aſſumed; but at laſt they flew to ſuch Practices, as diſturbed, nay deſtroyed their own Soveraign, the Emperours that oppoſed their inſolencies, and attempted no leſs againſt moſt Chriſtian Kingdoms: nay to ſuch a height were they arrived, that few Kingdoms but muſt owne they did at one time or other receive a new Race of Kings from their appointment. And though ſeveral of them, as particularly this Kingdom, have by Gods Providence received

ceived again their natural Princes, yet was it long first, and perhaps not truly in this Nation, till King *James*'s assuming the Crown. But this excess, as well in their extention, as execution of their usurp't Authority, alarm'd the World, and put that upon new Consultations for its safety against a Power which pretended to the deposing of Princes, and alteration of Governments, without so fair a warning as the beat of Drum. This produced our Statute of *Præmunire* against any person that should bring a Bull from *Rome*, and that as early as *Richard* the Second's days, wherein it is likewise provided, That if any Nuntio, Legate, &c. should presume to set foot in this Nation on a Message from the Pope, without having first procured the Kings Licence, he should be proceeded against as an Enemy to the State.

This and many other Laws of the like kind made both in this Nation and other Kingdoms about those times, sufficiently shew how weary and afraid the Catholick World were grown of the Popes Pride and Usurpations.

But to return to the matter: If we will be so foolish to allow all things may lawfully be done, that have successfully been so, then the Popes have not only a Power to absolve all persons from their Oaths and Compacts, but likewise to alter the Government of Nations, and dispense to Subjects their natural obediences to their lawful Soveraigns, which are Tenets few Roman Catholicks in the World do hold to the full, and such as do, it is pity should be suffered to breathe any Air in safety but that of S. *John's de Lateran*, or the *Vatican*.

But

But not to leave the matter fully as I found it upon doubtful Suppoſitions, whether they have any Authority or no to diſpenſe with any ſort of Vows whatſoever, I will proceed to divide all ſorts of Oaths in the World under theſe three ſeveral kinds.

Firſt, Oaths to declare ones aſſent, or to ſtrengthen ones duty in performance of ſuch things as the Law imprinted in every rational Soul does require, ſhould however be done.

Secondly, Oaths of Compact between Prince and Prince, State and State, or private perſon and private perſon, &c.

Thirdly, Voluntary Vows or Oaths to perform ſome Religious exerciſe or function, &c.

Under theſe three Heads I conceive all Oaths that have ever ſeemed to need or require Diſpenſation, do fall. As from Oaths in Evidence, thoſe come not under our conſideration.

Now in the firſt kind, neither the Pope, nor any Power that is, or ever was viſible on Earth, could or can diſpenſe; for that implies an Authority to give leave to commit things *malæ in ſe*, and under this Head does clearly fall obedience of Subjects to their Princes, Children to their Parents, &c. things that, if there never had been Religion, would have no ſooner loſt their reſpect, but humane Nature would have loſt its being by running into perfect confuſion, which would quickly have produced its perfect extirpation. So that Oaths of this kind were not invented to create, but to keep in memory our duty: And where, upon great confuſions in, and alterations of a Commonwealth, they have ſeemed to be otherways, in ſuch caſes

caſes they will fall under the next Head.

Which are Compacts ratified by Oath for mutual convenience. Theſe no power on Earth, neither ever could or had Authority to diſpenſe with, except by conſent of all Parties to the Bargain or Agreement; for to affirm the contrary, would imply ſome one perſon ſtill remaining in Mr. *Hobbs* State of Nature, preſiding over all his Leviathans, who ſhould not only have a right to every thing in the World, but to break and diſſolve all the Government of it at his pleaſure, and indeed to annihilate humane Nature it ſelf. But though no ſingle perſon ſimply can have this Power of diſpenſing the performance of Compacts, yet have the Compactors themſelves the undoubted Right of releaſing one the other without conſultation of any perſon unconcerned in the World.

Yet have Popes not only in the firſt, but likewiſe in the laſt, often put in their fingers, as particularly in the *Hungarians* fatal breach of ſolemn Faith, to the which puniſhment viſibly ſhowr'd from Heaven on the perjur'd Army, owned by many Catholick Divines almoſt as miraculous, has ſufficiently evidenced to the World what little confirmation above is of ſuch impious and deſtructive Diſpenſations. But when the Compactors themſelves diſpenſe one the other, no body bogles or ſtarts at the breach of the Oath, as we ſee lately in *Holland*, where the States General diſpenſed the Prince of *Orange*, themſelves and the Country of an Oath taken againſt State-Holders, which I have not yet heard of any man ſo ſay was not lawful for them by mutual conſent to do. Though I know, had it been a Popiſh Country, there would have been ſome

Fees expected at the Apoſtolick Chamber for his Holineſſes unneceſſary Diſpenſation.

Thus we ſee, that Oaths in themſelves diſpenſable, are eaſily by the proper perſons diſpenſed, without the Authority of a heavenly Delegate, who can never arrive to a greater Dominion rightfully in the matter, than as a perſon whoſe diſcretion is proper to adviſe with, and can only be that too to ſuch as are pleaſed freely to think him ſo.

But as for the laſt branch of Religious Vows, the Author or Preſcriber of the form and faſhion of the thing to which they ſwear, may have power to abſolve at diſcretion from the performance of it; and I will not ſay but in our Church this may be the Popes Province, which if he pleaſes to keep within, he may; but if he will be ſtill medling, without being called, with other mens concerns, let him for me; but I fear it will be but to very little purpoſe; Kings and Governours being now wiſer than to be over aw'd too much by his Pragmatical cenſures.

Dear Brother, think not I have treated thus long upon Vows and Diſpenſations to inform you or any man elſe in this Age, who are wiſe enough without my help to know that all this boaſted Power of the Popes to diſpenſe men from Oaths or their Allegiance, has no foundation in Reaſon or Religion, and is only holſter'd up with Examples of the ſucceſs of ſome former Biſhops of *Rome* in their inſolencies; which way of arguing is juſt of the ſame Authority, as if I ſhould, to prove the piety of High way robbing, tell you the ſtory of the late famous *Hind*, who living many years on that profeſſion, yet had the honour to dye for his

Loyalty

Loyalty to his Prince, and not as a Thief.

But paſſing all theſe things over, I do conclude, it is not only lawful to take the Oath of Allegiance, but to keep it when we have done, nay that we are obliged to do the laſt under pain of eternal damnation, let the Pope ſay or diſpenſe the contrary how he pleaſe. And further I do affirm, no rational man can prove the contrary ſufficiently of the other Oath, notwithſtanding its Bugbear name of Supremacy.

Nay now he's quite gone beyond recovery I am afraid you your ſelf will ſay notwithſtanding all brotherly affection, and then you'll go on in crying there was ſome hopes of recovering me to the Catholick Religion, whilſt I only pleaded for going to Church and the Oath of Allegiance, but to ſay it is lawful to take that horrible terrible Oath of Supremacy, ſhews me a confirmed Heretick, ready to take the Teſt on the firſt opportunity for an Imployment.

But, Brother, I deſire you to ſuſpend your cenſure of damnation againſt me, leſt you prove as raſh in it, as the Pope was that firſt Excommunicated this whole Nation in Queen *Elizabeth*'s time. For no doubt he and ſeveral of his Succeſſors ſince have in their minds ſecretly repented ſo inconſiderate an act, though they will not acknowledge it, by taking off that cenſure, till ſome previous Action of the Nation requires it, which I am not like to live to ſee. My reaſon for this Suppoſition is one of the motives of my aſſerting the lawfulneſs for us of taking the Oath of Supremacy. For what reaſon can there be for our refuſing to do ſo, ſince he refuſes all ſpiritual Superiority over us, and the King accepts it, and in theſe two points conſiſts

the whole ſcope of this Oath? It requires me to ſwear the Pope has no Authority over this Kingdom. And if I will take his own honeſt word, he has not, nor will not have. What can be better than his own moſt ſolemn Excommunication to prove it?

The next Point I am to ſwear, is, That the King is Head of all Perſons and Affairs as well Eccleſiaſtical as Civil in theſe his Dominions, which no perſon that hath his right wits I think can deny, as the caſe now ſtands. For if ever the Popes were Heads or Supreme in Eccleſiaſtical Affairs within this Nation, they have long ſince, by an Act of their own as well as of the Nations, ceaſed to be ſo. Therefore if any be, it muſt be the King, ſince the Law ſays ſo; though it be worth inquiring as to this point, how the Law means him Head of Eccleſiaſtical matters.

Firſt, I ſuppoſe it means Head of that Church and the Eccleſiaſtical Affairs therein that is eſtabliſhed by Law. For it cannot mean any other, ſince we ſee a power of Diſpenſation contrary to Law for the moſt minute diſſenters, to meet in another Form of ſerving God, has been controverted. Not to ſay more of the point therefore: if there muſt be but one Religion eſtabliſhed, and no other tolerated, then the Law only intends him Head of that, which the Pope himſelf will not deny him to be. So I ſuppoſe I may lawfully ſwear him that, which no other perſon ever did or can pretend to beſides. Now this matter having been excellently well treated of and handled in former times by ſome learned Caſuiſts, when the Intention of the Law, in the point which commands the Oath, was not ſo plain as the Law-makers by late paſſages ſeem

to

to make it; I ſay, ſince many good Catholick Caſuiſt Prieſts have writ in defence of the taking it in former times, I will omit to preſs that further, which to me appears plain; reſolving however, if you ſhall ſend me your doubts, of this or any other point diſcuſſed herein, that I will readily anſwer them to the beſt of my ſkill, being ſatisfied in my Conſcience, that I have ſaid nothing herein ſcandalous to Catholick Religion it ſelf, nor to any one but ſuch that make that the ſheeps raiment for wolviſh deſigns.

So, Brother, once again I deſire you to take into your ſerious conſideration, what it is to loſe a good Eſtate; not for conſcience, but ignorance, to make your ſelf uncapable of doing ſervice to your Prince, when there may be occaſion; but above all, what ſcandal you ſtamp on the Religion you profeſs, if you obſtinately and without reaſon ſhall perſiſt in diſobedience to every thing the Law appoints the Subjects of this Nation to do.

As for your expectation of aſſiſtance from the King, it is one of the moſt unreaſonable things, examine it rightly, that can enter into the heads of men, whether you take it quadrate to his perſonal or rational Intereſt.

For alas, to ſay the Catholicks of this Nation were all loyal, or rather truly not diſloyal to his Father and him, is but to make a Hiſtory of a very ſhort Age. For all the World knows, that it is as poſſible for Catholicks to be Rebels, if it conſiſts with their Intereſts, as any other men; for he that ſhould deny this, might as well affirm we had no ſuch thing as Rebellions in *England* before *Henry* the Eighth's time, which I ſuppoſe,

poſe, if he would conſider how King *Johns* Charter of Priviledges was extorted from him, he would by no means aſſert. But alas, let us ſay what we will on this ſide the Water, our Brethren in *Ireland*, we know too well, led the dance to all the late miſchiefs, except now I reflect on it, they were out-poſted by the Covenanters of *Scotland*. But indeed it is a folly to expect that any Religion, being once become an Art, will refuſe to have recourſe to the Sword againſt being oppreſt, and I am afraid it is much for want of numbers proportionable, the beſt of them are quiet in ſuch circumſtances.

But however ſuppoſing the beſt, that all Catholicks were loyal, and that their Principles made them ſo, is that an Argument ſufficient to make the King provoke all his other Subjects to be otherways by his Indulgence to them, who are not as one man to a hundred of the Nation? Which is moſt reaſonable, that you, dear Brother, ſhould ſtrive as far as you can by the Rules of your Religion to comply with the Law for your own advantage, or that the King ſhould be forced to ſtop the courſe of it to his own prejudice to comply with your nice obſtinacy, meerly becauſe he has your bare word, that you will be very ſerviceable to him? If another Rebellion ſhall on that account ariſe, I am confident the caſe thus ſtated, as certainly it does at preſent ſtand, all rational men, nay the Pope himſelf, would conclude, that the King in not medling, but letting the Law and you tug for it, is much in the right. Nor could he himſelf, were he a Subject of any Catholick Country, expect more friendſhip or favour. So for whoſe ſake this happens

to

to you is not material, ſo it is, and is like to be. Therefore let me once again adviſe you, go to Maſs at ſeven, to Church at nine, and if Mr. Politick ſcruples giving you Abſolution for your ſins, except you confeſs that for one, ſend to me, I'le find you one ſhall venture his neck in the point to ſerve you for twenty pounds a year, which you may eaſily ſave out of the two thouſand that is *demitia* except you follow my counſel, and deal with none but honeſt Catholick Prieſts, not Roman Courtiers, Men that aſpire to be Provincials, nay perhaps General of their Orders for their ſturdy tricks in oppoſition to our Laws. Theſe things I have ſaid are great truths, that you will thank me for one day, if you follow the advice; if not, you will repent your ſelf, when you ſhall be aſhamed not to perſiſt contrary to reaſon in what you ſo unreaſonably began.

I could, Brother, have ſaid much more to the Point, which it may be I will add as I find you reliſh this; till when I ſhall remain, ſaying *Paters* and *Aves* for the opening of your underſtanding to your own good: So farewel.

FINIS.

A LETTER FROM A GENTLEMAN OF THE Romiſh Religion,

To his BROTHER a Perſon of Quality of the ſame RELIGION; Perſwading him to go to Church, and take thoſe Oaths the Law directs, Proving the lawfulneſs thereof by Arguments not diſagreeable to Doctrines of the ROMAN CHURCH.

LONDON,
Printed for *John Starkey*, at the *Mitre* within *Temple-Bar*. MDCLXXIX.

Dear Brother,

THE buſineſs of your pleaſant Letter I can no ways judge could be the motive of its jocular ſtyle: Is conviction for Recuſancy ſo ſlight a matter, that it is only to be laught at, or is it that you have a mind to give his Majeſty two of your three thouſand a year? I fear not. But it may be then you have been reading Mr. *Cowley*'s Verſes out of *Heſiod* lately.

Unhappy they to whom God han't reveal'd
By a ſtrong light, which muſt their ſenſe controul,
That half a great Eſtate's more than the whole;
Unhappy from whom ſtill conceal'd does lye
Of Roots and Herbs the wholeſom luxury.

But truly, Brother, believe me, if theſe Verſes were Canonical Scripture, yet would they be too little to keep body and ſoul together, when the ſeiſure is made by the Sheriff.

Yet is not 2000 a year worth inquiring after, at leaſt to know ſome ſmall reaſon for parting with it? Methinks it ſhould be ſo; I'm ſure, if it was mine, I ſhould cry two words to a Bargain before I parted with a ſouſe of it, except ſome body would ſecure me *Terra firma* in Heaven for Repriſals. And for your ſake I am reſolved to argue the point with our Holy Father the Pope, a little to know why we his poor deſpiſed Children in *England* are bound to do ſome things at his commands, he no ways expects from his

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more indulged ones in other Nations; and ſuch things too that practiſed produce our utter ruines.

Now good honeſt Friend Mr. Jeſuit, mind not me, but follow your more neceſſary Imployments of anſwering the Doctors *Stillingfleet*, *Tilleſon*, and *Floyd*, with the reſt of the Papiſt-Grinders: For I am no ways denying the Popes Infallibility, but will give him fair play, and allow him to be a more conſiderable perſon of Honour than conſiſts with the poſture of the times or my preſent affairs.

Nay, if it will do him any ſervice, I will grant him at preſent to be not only Supreme Biſhop, chief Ruler, univerſal Head, or ſole Head of the univerſal Church; but let him be as great, magnificent, and powerful as his moſt flattering Courtiers would have him, that is, as great indeed, as the Devil himſelf pretended, when he proffered the whole Earth, and conſequently univerſal Monarchy to our Saviour for a little worſhip. Let him be all this at preſent, if he pleaſes, ſay I, yet I hope to prove that an Engliſh Roman Catholick, and conſequently you, Brother, may go to Church as the Law directs, nay ought to do it notwithſtanding any commands or pretended commands from him or his holy Predeceſſors to the contrary.

For let us conſider, that this Omnipotency of his power, be it more or leſs, muſt needs terminate in this, that he has no power where he will have no power, and cannot command where he will not command: Nay, I may ſafely conclude, That a good Catholick may believe he does not command where he plainly, openly, and ſolemnly ſays, he will not command, till he unſays that ſaying.

This

This in plain terms is the Popes fate now in *England*, they have long ſince by an unrepeal'd publick Act of their Authority, Excommunicated in the higheſt manner this whole Nation; interdicting to the very ground that feeds us, and the air we breath, any ſpiritual Bleſſings or Benefits.

Now this ſolemn Excommunication not only caſts out of the Fatherly protection and care of the Pope, thoſe who fall under it; but deprives them of the uſe of Sacraments, Maſſes, Indulgences, Churches, Succeſſion of Biſhops, Prieſts, and Holy Orders, and all other Chriſtian Rights and Priviledges whatſoever, as plainly appears from the very form uſed in doing it; as likewiſe in the practice of this Kingdom in King *John*'s Time, as is proved by our Hiſtories, when for ſix years this Kingdom remained under it; and lately in *Venice*, when the Jeſuits left that State rather than obey the Senate, in performing Holy Offices contrary to his Holineſſes intention, which Act of theirs they to this day juſtifie.

I might inſtance many more Examples, to prove the ſad Condition of Countries Excommunicated, if the Exalters of the Popes Authority were Infallible, Heavenly Oracles: But I having nothing to do in that point, ſhall only glance at thoſe things neceſſary to my preſent purpoſe, which is, to ſave your Eſtate, Brother, and therefore ſhall ſtill allow the Pope his moſt extended Infallibility, ſince that makes not at all againſt me in this Argument. For 'tis not material to me that Father *Paul*, Author of the Hiſtory of the Council of *Trent*, does in his defence of the State of *Venice*, againſt the proceedings of Pope *Paul* the Seventh, prove, that Excommuni-

communication is a ſpiritual puniſhment, which implies there ought to be an offence, and that except there be, the Cenſure cannot reach the Perſon againſt whom it was intended. I ſay, though this be reaſonable, nay, may be unanſwerable as to the thing then pleaded for; yet it will be no ways ſatisfactory to the point now in hand, which is, whether the Pope has any Authority left in *England* or no, for that is plain he has not; for though at firſt it may be all our Grandfathers did not juſtly incur ſo rigorous a ſentence, as to be wholly lopt off from the Catholick Church: yet that Pope that excommunicated them, and thoſe ever ſince, have abſolutely refuſed to have any Spiritual care of them, and conſequently command over them; renouncing it then, and Annually renewing that Renunciation ever ſince; ſo that there has been no continuation of Biſhops in this Kingdom, nor cannot be according to the Inſtitutions of the Roman Catholick Church, till that ſolemn Excommunication be taken off.

In this Condition is *England* and *Scotland* put by the Pope, whilſt *Ireland* our neighbour and fellow Subject Kingdom ſtill continuing in his Holineſſes good Grace, enjoys all the Priviledges from him of the moſt Catholick Country.

So that I conclude, the Pope's Infallibility will certainly reach this, at leaſt; That he has Power to refuſe to Govern, Command, or Protect all he pleaſes, and whereſoever he pleaſes: amongſt which Places, I take *England* to be; ſince he, and all his Predeceſſors ſince *Pius Quintus*'s Time, have ſolemnly declared it to be ſo.

Then, Good Father *Clement*, ſince you will have nothing

nothing to do, I desire you will still stand by, and let us shift for our selves as well as we can. As for the Gentlemen Missionaries you have sent to convert us, I hope we shall be able to deal with them well enough, for all we go to Church; which I am about to prove to you, Dear Brother, we may lawfully do.

First, The thing in it self is by all Casuists in the World allowed to be no Sin, but wholly Indifferent; as is plain from the Practice in *France*, and all other Nations. But this is such a Truth, that should I bring Arguments to prove it so; it would appear as impertinent in me, as a long Harangue would be to prove there are such things as Penal Laws against Recusancy in *England:* which, I suppose, to you, Brother, would be very needless.

Now this granted, That it is not *Malum in se*; how then can it be a Sin? Certainly it must be against some expres Command to the contrary; and so it will fall under that Head of *Malum Prohibitum.* Now if I prove it not under this last, then it can be no Sin at all: And this will be no hard Task to perform.

For, Dear Brother, do but bestow a very little thinking (Half as much as a Meditation before a Mass, will serve) of that Authority which the Pope has left himself in *England*; and you will find, that all Bulls formerly sent, or hereafter to come from *Rome*, during the continuance of this Excommunication are to be lookt on here as fraudulent, false, and forged ones, no ways binding the most zealous of his Holinesses Children, nay rather as things that in a most abusive manner give the lye to the solemnest Discipline and Rights of holy Church.

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For in no Action can his Holineſs ſo clearly expreſs his intention and power as in thoſe of ſolemn Excommunications againſt Nations, they being the moſt viſible and publick demonſtrations of his pretended Omnipotency in governing the Earth. Now is it not more than Schiſmatical Inſolence to affirm, that his Holineſſes Empire and the Church is ſo divided in it ſelf, as that one perſonal Act of his ſhould poſitively contradict and give the lye to another, as it muſt plainly do, if he after the ſolemn Excommunication of a Nation, ſhall, during that cenſûre, ſend any Bull of Direction to guide the people thereof in their journey to Heaven, whither he openly declares they never ſhall arrive, having as much as in him lies, ſealed up the Gates of Glory to them? For to this purpoſe or none tend all Excommunications, which are purſuant to the promiſe of Binding and Looſing. Therefore from this reaſon I gather that ſeveral things done and taught by the Jeſuits and Miſſionary Prieſts here, not only fall under Proteſtant Laws of Treaſon and Catholick National Laws of *Præmunire*; but are alſo contrary to the Fundamental Rules and Practices of the Roman Catholick Church it ſelf.

For an inſtance, Indulgences given by his Holineſs to the Catholick Church in general, theſe are often publiſhed at Maſs and in Sermons by Miſſionaries here, and the means to obtain the benefits of them zealouſly purſued and performed by Catholicks. Now allowing the utmoſt benefit to be really in them that ever Pardon-ſeller in *Spain* pretended, yet to Engliſh Roman Catholicks they can be nothing worth; for by that infallible power reſides in the Church beſt expreſt

preſt in lawful general Councils, of which ſort we all ſay the Council of *Trent* was. I ſay by this infallible Power and in that Council is taught, That the intention of the Agent is abſolutely neceſſary to the performance or end of any Religious Action, or the benefits to ariſe thereby. Inſomuch that the intention of the Prieſt, directed to the contrary, ſhall null or rather make abſent the Sacrament of Baptiſm or any other Rite, notwithſtanding all Ceremonies neceſſary were performed.

Now if this be truly ſo, as you and I, nay all Roman Catholicks are bound to believe, how much more will it operate in this trick of Indulgences, which flow only from the Fountain of the Popes good pleaſure, and can certainly operate no farther than he intends them, which cannot be to *England*, or any Engliſh man, they being put wholly out of his Fatherly care and protection by his grand Interdiction, the beſt diſcovery of his intention that can be, except when he expreſſes himſelf in a general Council?

Pardon this ſhort digreſſion concerning Indulgences, it being only to illuſtrate this infallible Truth, That theſe Indulgences or any other Bull in general or directed in particular to this Kingdom, cannot be ſuppoſed to flow from the Popes intention, ſince they ſo palpably are againſt his more ſolemn declared pleaſure, which he annually renews. Nor ought any Roman Catholick here look on them but as the tricks of private Miſſionaries for their own advantage, ſince they perfectly contradict, not only the Laws of the Nation, but the Fundamental Laws of the Romiſh Church it ſelf.

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We may indeed ſpeak of Popes Bulls, Brother, as of Letters Patents obtained from Princes of courſe, which though, when according to Law, are binding, not only to Subjects, but againſt themſelves and Succeſſors; yet when they proceed contrary to the Fundamentals of their Government, then are they of no value, but in themſelves void, Mankind always in ſuch caſes ſuppoſing the Prince to be deceived in his Grant: So ſtands the Caſe here. Till his Holineſs takes off the Excommunication of this Nation, which is an effect of his plenitude of Power, and accords with the Fundamentals of his Regiment; no Bull ſent hither ought to be taken notice of, they being in themſelves apparently void, as well as contrary to the Laws of the Nation, made in Catholick times, near two hundred years before the Pope caſt off it, or it the Pope: Bringing in a Bull to this Kingdom without the Kings leave, being then made *Præmunire*, which Law was for all that time complied with by very many, and as we ſay, Good Popes.

To ſum up all, it comes to this: Things in themſelves no ſins, cannot become ſuch, but by ſome lawful prohibition. Going to Church in it ſelf is no ſin, nor can it become ſo by the Popes Command to a Country in which he renounces all Power: *England* is ſuch a Country; therefore till he or his Succeſſors take off the Excommunication, no Catholick is obliged to take notice of that, or any other pretended Command ſent from him hither, but perfectly (*è contrà*) Therefore going to Church is lawful in *England* for Roman Catholicks.

But not to leave the point thus: I begin to doubt extremely,

extremely, whether we are not obliged in Conſcience to go to Church as the Law directs, or at leaſt when we omit it, freely to pay the penalty. For it is granted on all hands, that a thing not *malum in ſe* may become *malum prohibitum*, if commanded by lawful Authority, which I hope none of us will deny the Government in *England* to be: I'm ſure he that ſhould, would deſerve the ſevereſt execution provided by the moſt ſanguinary Law. Now the Government of *England* requires all the Subjects thereof to meet together at ſuch a time and ſuch a place, no matter where, ſuppoſe it *Salisbury* Plain; doth any man think he would deſerve the protection thereof that ſhould obſtinately, without lawful excuſe, refuſe to come thither? no certainly he would not, only incur deſervedly the penalty provided; but ſpeaking like Chriſtians, who are directed to obey for conſcience ſake, he would commit a grievous ſin againſt God. Now what excuſe can we make for our obſtinacy, in refuſing to go to the Churches at times commanded? The Popes pretended Commands will not do; for were they more binding than the Laws of a Nation, which certainly they are not, yet can we have none ſuch from him, having no Biſhops or Spiritual Superiours left, whom we might or ought to truſt for the truth of them when they came, and we have his too too ſolemn promiſe, that he will have nothing to do with us. This being ſo, I am afraid the private diſcourſes and falſe pretences of private mercenary Jeſuits and Miſſionaries will not be a ſufficient Baſis to rely upon before the laſt Tribunal for ſuch obſtinate reſiſtance againſt lawful Authority in things in themſelves wholly indifferent.

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Now, Brother, I know Mr. Politick the Jeſuit, if you ſhew him this, will preſently bleſs himſelf with the ſign of the Croſs, deſire all to joyn in a *Pater noſter* and *Ave Maria* againſt the infection, and then dogmatically affirm I am turned a rank; nay dangerous Heretick. Your Daughters muſt be deſired to viſit me no more, for fear of perverſion; nay you will be perſwaded to double my Annuity, on condition I never ſee your face again. Well, if theſe afflictions ſhould happen, I cannot help it; but for the mind I am in, it muſt be ſtronger Arguments ſhall hinder me from avoiding conviction, as long as with a ſafe conſcience I can. And I think there are none ſuch; for I have conſidered all I ever hitherto have heard, and to me they appear weak and impertinent. But that I may not be thought only to affirm this, I will ſum up all I know any thing to the purpoſe.

To begin firſt then with ſcandal, which is one Argument mainly urged, I ſuppoſe it can never be intended, that if a weak Brother, *id eſt*, perhaps a Fool, ſhall be troubled in mind that I have ſix diſhes of meat at my Table, and himſelf and many better Chriſtians than I, have, it may be, ſcarce half a one; That I muſt therefore, for fear of being an eye ſore to him, retrench my ſelf to his fragments. And yet S. *Paul*, as to his own practice, ſeemed to reſolve this, ſince he ſays, he would never eat meat whilſt he lived, rather than offend the weak brethren: So I ſuppoſe, and reaſonably, that his Doctrines of Scandals were calculated for the uſe of Chriſtian Teachers, and thoſe that ſought to be Rulers in the Church. For had he intended them for all Chriſtians, I am afraid they would have proved heavier

heavier burdens on Believers than ever were impoſed on the Primitive obſervers of the Moſaical Law, and would have but ill accorded with the great Argument for Converſion, which was Chriſtian liberty from duties which they and their forefathers were not able to undergo. Nor is it reaſonable to think I am bound to part with two thirds of my Eſtate, becauſe ſome fool my neighbour may think me an Heretick by my going to Church; no, let him think on, the ſin is his, not mine, who do nothing but what in it ſelf is lawful, and what becomes my duty by the Laws commanding it. But he judges amiſs of my interiour Faith by my outward actions, though lawful, and therefore ſins in want of Charity. Thus much I believe may ſerve for Scandal, though much more might be ſaid.

The next Objection proceeds from this, that it is made the ſign of Faith, and therefore he that complies in it, owns the Church of *Englands* Doctrine: but this muſt be by all rational men poſitively denied, if they will conſider theſe following Circumſtances.

Firſt, when going to Church was commanded in *England* by a Penal Statute, it was deſigned rather for opportunity to inſtruct people, educated Roman Catholicks, in the Principles of the Proteſtants, than as an Act of general Uniformity in Faith, which could not ſo ſuddenly be expected. Next, it would have been a vain way of trying the Faith of Papiſts by a thing they might lawfully, according to their own Religion, do: nor can we believe the people of *England* aſſembled in Parliament could be ſo ignorant, had they been minded then to have known the hearts of perſons, as to have fallen upon ſo impertinent a teſt. For

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to my ſorrow we find, when they intended, that they knew a ready and infallible way to do it.

But ſuppoſe the worſt, that the Law deſigned it as a tryal of Faith, and a diſcovery of perſons Popiſhly inclined (permitting ſtill the thing in it ſelf to be no ſin) that can no ways oblige you to the refuſal of it; for I would deſire Mr. Jeſuit to tell me, why you are more obliged openly to declare your ſelf a Catholick, than he is to owne himſelf a Prieſt? fear of death I am ſure ſhould not deter him, ſince, if he dyes, his Faith calls it Martyrdom, which gains a Crown of Glory, a temptation ſufficient, and much beyond what any of them will ſecure you for your Eſtate. But if he, like S. *Paul*, thinks it lawful to get down in a Baſket, you may as adviſedly come to Chriſt by night. For is it reaſonable, that becauſe the Law ſays, Every Popiſh Recuſant ſhall be convicted, that therefore I ſhould be bound preſently to run and confeſs my ſelf a Papiſt at the next Seſſions? For 'tis as rational to affirm that, as to ſay I am bound, when the Law preſcribes a thing to be done for tryal of my Faith, which I may in Conſcience do, preſently to cry out againſt it, and refuſe it for that cauſe only. If that were ſo, then it would be no hard matter, by another trick, to baniſh us all the Realm, by declaring, whoſoever ſhould be within this Kingdom on the 25 of *March* next, ſhould be eſteemed to all intents and purpoſes no Roman Catholicks, but good Sons of the Church of *England*, whether they communicated in it or no.

Now I am afraid, Brother, if ſuch a ſign of Faith as this were by the Law made, yet Mr. Jeſuit would find many excuſes for ſtaying after that time. But if he would

would not, I wiſh with all my heart the Parliament would make ſuch a Statute, that we might be rid of them. But they know better their Principles, than to hope ſo fair a riddance by ſo eaſie a way; no, theſe are but weak Arguments to lead the too-believing Laity by the noſes, it muſt be ſtronger toyls that ſhall catch their Elephant underſtandings. Therefore, good Brother, let you and I be no longer held by them. For 'tis plain, neither ſcandal nor *ſignum fide* ought to be a hindrance to me from doing a thing in it ſelf indifferent, and which becomes my duty by the Law's commanding it.

The next material Objection I have from ſome of our Spiritual miſleaders met with, is, That as Faith comes by hearing, ſo does Hereſie; therefore we ought to avoid the place where it is taught, leſt we ſhould be miſguided into it. If you anſwer this, by ſaying the Argument would hold all the World over, and ſo make it a ſin as well in *France* as here, then they reply, That in Catholick Countries, though you hear Hereſie in a Proteſtant Sermon, yet you have a Catholick Sermon preſently clears the point, and makes it indubitable on the Churches ſide. Now this by the Prohibition of Religion is prevented in *England*, and therefore the caſe very different.

One would think this a very ſubtile Argument, ſo notably put together, that there would be no poſſibility of anſwering it, if one did but very much ſtand in awe of the Magiſterial Mountebank, that it may be with a world of Rhetorical flouriſhes, and grave Quotations out of *Scotus*, doth poſitively affirm this to be the opinion of all School-men, nay the Catholick Church it ſelf.

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elf. But Heaven knows, examine it a little, and you will find it a meer rope of ſand, as ſolidly compacted as their ridiculous, though politick Doctrine of Probabilities, and no better.

For will not they, or any obſerving man confeſs, that the Romaniſts of *England*, take them one with another, are ten for one more learned and confirmed in the Principles of their Religion, than thoſe of *France*, or any Catholick Country indeed are? He that conſiders that moſt of the Natives of this Kingdom, who are of that Faith, be either Perſons of Quality, who have had great advantages by Education, or Converts from the Proteſtants, will eaſily believe there muſt be a great diſparity between ſuch and the general herd of Vulgars, bred in Countries under a Religion no ways famous for making the common people too knowing.

But ſuppoſe it is not ſo, and that thoſe who have ſo long ſtrugled under difficulties in their Fortunes for Conſcience ſake, have done it more out of ignorance, the Mother, as ſome ſay, of Popiſh devotion, than of underſtanding; yet will the former Argument waſh away in that part which ſays, thoſe in Catholick Countries have more opportunity of being untaught what they might prejudicially have ſuckt in. For none will deny, but more Doctrine is collected from rational diſcourſes *Pro* and *Con*, than from ſuch ſet Speeches as Sermons are. Therefore conſidering there are few Gentlemen in *England* of the Romiſh Religion, who have 500 *l. per Ann.* but keep a Prieſt in their Houſhold; How is it likely, if good Arguments be to be found againſt every thing the Proteſtants teach contrary to the Romiſh Faith, but that they ſhould preſently

ſently, upon inquiry, have their new-raiſed ſcruples at Church by ſuch ſooner and ſtronger wip't off, than a perſon that it may be in a Catholick Country may go to Church both Sunday and other Holy-day a year before he hears any Sermon, caſually to glance upon that point, whereon ſuch doubt of his aroſe? And I dare affirm, ſo ſweet is the profit the Jeſuits and Miſſionaries find in *England*, that there reſides, and is like to do conſtantly ſo many here, that few Papiſts need to be a day from ſpeaking with one of them, and that is an advantage equal to the moſt Catholick Nations.

But ſuppoſe all here ſaid nothing to the purpoſe, but that 'tis likely many would be changed in time, and become Proteſtants; What is that to you or I, Brother, or indeed to any rational Lay Catholick in *England*? for he whoſe caſe it ſhould be, need not much repine that his conſcience ſhould lead him into a more advantageous Religion as to this World: and for the other, he would no doubt be as confident of a good place there, if he acted purely upon the ſcore of Faith, as ever he was whilſt he remained Papiſt.

But I confeſs many ſuch accidents as thoſe would ſhrewdly inconvenience the Prieſts, and in time leſſen their number: But ſtill what is that to you or I, Brother? I find no Canon of any General Council commanding you to give two thouſand pound a year to increaſe the number of Prieſts, or to maintain thoſe that be. Nor can I believe Chriſtian Religion ever obliged its Profeſſors to ſuch remote conſiderations. No, all men were not bound, like S. *Paul*, to love to that extremity, as to wiſh damnation for their Country-mens ſakes. They that can, let them; but ſtill ſay I, Brother,

ther, keep your money, you'l repent it elſe one day, take my word for it.

Another Argument I have heard ſtarted, which is, that if Catholicks ſhould go to Church, yet the Parliament would at laſt find out ſomething like the late Teſt for Imployments, by which they would be found out, and ſo conſequently be no ways the better, but ſuffer equally to what they ſhould do by Recuſancy.

To this I anſwer, that I ought as a Chriſtian to obey the Government, as far as I can in Conſcience, and that for Conſcience ſake, and to truſt the Divine Providence, in whoſe hands are the hearts of Princes and Rulers, for any thing by them for the future to be commanded; which if I cannot then comply with, I muſt either follow the direction of flying in perſecution from city to city, or patiently ſuffer for my ſins what God ſhall pleaſe by the Law to impoſe upon me. But this ſuppoſition, how well grounded ſoever it may ſeem, ought not to hinder me from complying, as far as I am able at the preſent; ſuch teſt, when, if ever, it comes, will then with its penalties be time enough to ſubmit to.

But I am of the opinion, and not without ſome colour of reaſon, that ſuch a Teſt may never be, eſpecially if Catholicks would leave off Recuſancy. The grounds for my conceptions are theſe.

The People of *England* boaſt of this Priviledge beyond moſt *European* Nations, if not all, that no perſon is bound by Torture or Oath to accuſe himſelf of any thing, which by the Law is penal; but that proof ought to come of matter of Fact before he ſuffer. Now this ſo rational a Priviledge, which frees us from the ſlaviſh ſubjection of thoſe governed by the Civil Law, all Engliſh

Engliſh Parliaments hitherto have been extremely tender of, as appears by thoſe Laws provided for ſecurity of Religion ſince the Reformation. For every perſon knows, they who incur puniſhment by not complying in Forms of Worſhip, or matters of Faith, do it out of tenderneſs of Conſcience, though it may be miſguided. Now ſuch perſons one may well believe would ſcruple above all things a falſe Oath: Therefore if our Law-makers had not been very careful of this Engliſh Free-mans Priviledge, they might have quickly left a latitude to Judges, and other inferiour Magiſtrates by Interrogatories upon Oath to have found out all perſons, that had through Conſcience offended againſt any Eccleſiaſtical Law; as, Whether have you heard Maſs within a year or no? have you aſſerted or taught the Popes Supremacy, or brought in Croſſes, Beads, or Images, &c. But we find no ſuch Method allowed; which can ſpring from nothing but the care of this Sacred Engliſh Priviledge, always firmly rooted in the breaſts of the Compilers of Engliſh Statutes. For I ſhould think, if ever they would have ſtrained the point, it would have been in detection of Jeſuits and Roman Prieſts, a people they have long ſtrove wholly to extirpate, as appears by the puniſhment provided for them, which is not only made capital, but of the higheſt nature any Engliſh Law has yet preſcribed; yet they never went ſo far as to force them that were ſuſpected upon Oath to purge themſelves: which had they done, none could have been left alive in the Nation. For I have this opinion of them, not one would, upon ſuch examination, deny himſelf, except he intended to deſert his Faith: And

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this the Makers of thoſe Statutes as well knew as the late Uſurpers over all the Laws, Rights, and Priviledges of this Nation did, when they took that never-failing Method of examining them upon Oath; and detected, though not executed, all they tryed that way. But the lawful Princes and Parliaments of this Kingdom have always avoided opening ſo dangerous a gap to perfect ſlavery; for it would be leſs unreaſonable for men on corporal Oath to declare whether they were guilty of Treaſon, Murder, Theft, Forgery, Adultery, or any other notorious crime againſt the Law of Nature and the Nation, than that they ſhould be forced to diſcover thoughts, which if not reduced into practice, could concern the good or ill of no perſon but themſelves, and yet when known, ſhould bring them under heavier penalties than ſome of the other crimes. For this reaſon, till I ſee it, I may juſtly believe there will never be ſuch a way appointed in our Law for ſearching mens ſoles, whatſoever probability there hath been of it lately.

As for the late Teſt, that can no ways be brought in objection againſt me, ſince Nations may preſcribe what Gates they pleaſe, through which any perſon is to arrive at preferment in it. And it is not at all unnatural or unpracticable, that a proper Oath be provided for any one that takes an Employment; nay, it hath always been the Law and Cuſtom of this Nation, ſince Chriſtianity, if not before, for every perſon to ſubmit to ſome ſort of Oath before he entred upon any truſt in the Common-wealth; inſomuch that the Kings themſelves are not wholly exempted from it. Now it is not at all more unreaſonable, that one general Form over and above

above ſuch particular ones, ſhould be preſcribed by the Law-makers at their directions, for all ſuch as ſeek preferments to comply with, or not be capable of them; for what I receive, but of Grace cannot be called a penalty, if I want: and under that head fall all imployments in a Kingdom that are either of profit or honour. For I ſuppoſe the being hindred from thoſe of trouble will by no perſon be eſteemed a grievance. So the impoſition of the late Teſt cannot be called a purgation of men by their perſonal Oaths, to bring them under legal Penalties. Nor can indeed the Oaths of Allegiance and Supremacy, it having been the Method of all Common-wealths to preſcribe ſome Form to the Subject, whereby to own the Government; and that is in themſelves diſcretion all. Nor ought we to ſuppoſe a Government can be malicious to its Members, or that it would lay ſnares for them, but rather that whatever they preſcribe, proceeds from the deſire of general ſecurity, they ſtill framing their Oaths ſo, that they know all good Subjects may take them: if any cannot or will not, it lies upon ſuch to quit the Protection of that State, and no ways obliges the State to comply with their obſtinacy: And this laſt word for ought I know, doth too much belong to thoſe that firſt brought up the cuſtom amongſt Catholicks, of refuſing the two aforeſaid Oaths, of which more hereafter. In the mean time I only affirm, that we ought not to omit doing our duty to the Laws, as far as they now bind us, becauſe there may come ſuch as we may no ways be able to comply with. But it is an hundred to one too that may never happen from the reaſon aforeſaid; and it would be more unlikely, if there was a general compliance in the

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mean time to thoſe things all rational men know Roman Catholicks might do, nay which many known, wiſe, and devout men of them have in former times, and do at this preſent practiſe, as I could inſtance beyond all controverſie, if I pleaſed, in this thing at preſent treated of, which is going to Church. But, Brother, I know it would be needleſs to you, as well as prejudicial to them, and therefore I ſhall forbear names in a thing ſo notorious; only be you as wiſe, and do not be led by the noſe to infallible ruine, by the bold, nay ſawcy aſſertions of Fellows, whoſe buſineſs is to ſecure themſelves, command over your conſcience no ways belonging to them, that they may thereby be Maſters of ſuch part of your remaining Eſtate, as ſhall be neceſſary to their plenty or prodigality; which if they, contrary to their duty and function, ſought not, why ſhould they ſtudy falſe Poſitions, and impoſe them on you meerly to inſnare your Eſtate? They ought ſurely to open the narrow way to Heaven at leaſt as wide as it might be, and not lay ſtumbling-blocks in our ways, never found out but in this miſerable nook of the World, nor no where taught or thought on, but by our Miſſionaries from *Rome*, and our traiterous Fugitives, that on Religions firſt alteration fled thither. For ſuch being guilty of hainous Treaſons againſt our Princes, ſought firſt to juſtifie their villanies by pretences of Religion, having by their pernicious, falſe, and damnable Doctrines and Poſitions, not only done vaſt hurt to the honeſt Profeſſors of that, but have placed upon it ſcandals not to be wip't off but with the end of time it ſelf. And theſe Wretches being grown deſperate with the ill ſucceſs of their damnable deſigns, daring not to return into that Kingdom,

dom, againſt which they had ſo traiterouſly practiſed, ſought to involve all the moderate Party, which ſtayed behind, into ruine, in revenge of their not unanimous joyning with them in their black Attempts on the Perſons of our lawful Princes and Governours. Theſe were the perſons that ſuggeſted to the Popes motives, for thoſe idle Bulls ſo ſent in contradiction of their more ſolemn declared intention, if any ſuch did come, which we are no ways obliged to believe, did or could; but if they had or did, 'tis not at all material, they being no more ſignificant in *England*, than a Letter Mandatory from the Grand Signior would be.

And indeed ſome of theſe pretended Bulls contained ſuch Commands to their beloved Catholick Children here (as they were pleaſed to call them in contradiction to their Excommunication) that they ſhould unanimouſly have Petitioned the King, that both the Original and all the Copies of them might have been ſolemnly burnt by the common Hangman. Nay, any perſon that knew him, ought upon pain of damnable ſin, to have diſcovered the bringer of them; in that if a Prieſt, he might have received the well-merited death of a Traitor; or if a Lay-man, all the Law has in that caſe too eaſily provided. I need not inſtance which Bulls I mean, they are ſo often brought againſt the Catholick Religion it ſelf by Proteſtant Writers, and ſufficiently to the ſhame, though not of the Popiſh Religion, yet of thoſe Popes who granted them, and of thoſe Papiſts that adhere to, or defend ſuch Roman Court Doctrines.

But from ſuch Catterpillers of the Chriſtian Faith as thoſe, did ariſe, amongſt many more dangerous new Poſitions,

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ſitions, this of being not lawful for Roman Catholicks to go to Church, as the Law requires in *England*. And for the ſakes and on the wiſe Authority of ſuch deſperate Caſuiſts, have many of our fooliſh Forefathers loſt two thirds of their Eſtates, rendred themſelves ſuſpected to the people, and incapable of ſerving, as they ought to do, their lawful Prince in his extraordinary occaſions; which when they have attempted to do, this their open unneceſſary diſſention has caſt an *Odium* unjuſtly both on himſelf and his actions for imploying them.

Now if it be inquired by you or your Confeſſaries, what Arguments could move Pope *Pius Quintus*, or his immediate Succeſſor, to ſend a Bull of Prohibition to the Catholicks in *England* for going to Church, the thing being in it ſelf no fault, and as I affirm ſo poſitively againſt the Rules and Practices of their Predeceſſors, nay againſt the Fundamentals of their Government: To this I muſt anſwer, There were divers Motives in Policy, as they obſerved things of this Iſland in *Rome*, though none in Religion.

Firſt, they were perſwaded by ſuch Traitors as fled hence thither, that almoſt the whole Nation remained Catholicks, notwithſtanding the Queen had altered the Government. And that they would find them ſuch ignorant ones too, as their Holy Predeceſſors had known them, when they made this Nation the Pack-horſe to their pride, and a perpetual Fountain of Money to their Treaſuries, which ſome of them with admiration boaſted could never be exhauſted. Upon theſe ſuppoſitions they were made to believe, that ſuch a Bull would cauſe this mighty Party to be viſible, not only

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to their Enemies, but themſelves, to the terrour of one, and incouragement to the uniting of the other Party. This was one, and it may be the grand motive of that Proceeding, ſo contrary to all Preſident.

The next, and in all likelihood not the leaſt motive might be the perſwaſion of thoſe Traitors, that there would be found in *England* many as deſperate as themſelves to bandy together, take Arms againſt, or aſſaſinate the Queen, when they ſaw their Party ſo conſiderable as this would prove it, beſides the bleſſing, muſt needs attends ſuch pious endeavours, warranted by his Holineſſes care and direction.

But all theſe Policies and Practices did by the wiſdom of that Queen and her Council, only tend to the diſcovering ſuch deſperates, as being of the like Principles, thereon took Arms, and were for it deſervedly executed, or forced to increaſe the numbers of thoſe Fugitives in voluntary Baniſhment. But notwithſtanding this might, like a Meſſage from Heaven, ſufficiently have warned the Catholicks of *England* from hearkening any more after News from *Rome*, at leaſt till the Popes ſhould have been ſo charitable to re-admit them into the Congregation of the Faithful, by taking off the Excommunication from them; yet have the private Miſſionaries (being all ſent into the Nation under the title of Traitors by the Law) ſo adhered to the Tenets of the Court, as well as Church of *Rome* which ſends them, that they have by degrees inſtilled into the Laity here many Principles of Adherence to the Pope, that would be laught at in *France*, and ſome few other rational Catholick Kingdoms. Amongſt which, this of thinking the Popes Commands can make

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that a ſin, which in it ſelf is none, ought to be accounted one. Upon which ground alone they refuſe to obey the Law in the thing now in debate; for which I think they are but juſtly puniſht with the loſs of their Eſtates.

But, Brother, be you wiſer, ſtudy the Catholick Doctrine, as it is taught by Fathers and Councils, and not as it would fain be made by the novel Poſitions of *Ignatius*'s Followers, between whom and you there is a vaſt difference, both in the duty you owe to the King and his Laws, as likewiſe in thoſe you ſtand obliged in to *Rome*.

For firſt, they and all other Miſſionaries, being the hour they ſet foot here, become Traitors, and ſo conſequently in all the buſineſs they come about, not only out of the protection, but under the ſevereſt cenſure of the Law; no wonder they have not the ſame reſpect for it other Subjects ought to have, but dare practiſe leſſer contradictions that offend in the greater. Nay it may be againſt their going to Church Scandal would prove a good Argument, ſince they pretend to be ready always to lay down their lives for the increaſe of their Faith; but this is no ways your or any other Lay Catholicks caſe, the Law, if you obey in ſome particulars preſcribed, giving you equal protection with others of the National Principles.

Another thing to be conſidered, is, That the hour they receive Holy Orders, they take an Oath of Subjection to the Pope, and ſo by the ſame Act become Renouncers of their Allegiance to the King, and Subject to his Holineſs. Now how far this may be conſonant to Chriſtian Religion, I will not examine here; but

but I am ſure it puts them in a very different poſture, as to the Popes deſigns, to what any other Catholicks are in: They being, according to their vow, upon the leaſt ſummons to leave the Country, and to go where his Holineſſes good pleaſure appoints them; which I hope none of them will be ſo impudent to ſay you are obliged to do, Brother, except it be ſuch as hold the mad Doctrine of Popes having power to depoſe Princes. For though the other doth not ſound ſo ill, yet is it in effect the ſame; for to be able to command a Princes Subjects out of his Dominions, doth imply a power of leaving him none there, which would produce an effectual depoſing of him in the end.

Another conſiderable difference between Lay Catholicks and Miſſionary Prieſts in this Kingdom, ariſes from the ones having Eſtates, and the other none. For no body can blame the laſt ſort of Gentlemen to deſire their power over the Conſciences of the other ſhould be as far extended as might be, if one conſult, as moſt of mankind does, their private intereſt. Alas, what is it to Mr. Politick your Ghoſtly Father, that you ſhall loſe by your Conviction 2000 *l.* a year? his Allowance will be never the leſs, he knows, but his power will be much more. For in the firſt place, that is a ſure ſign you are as firmly reſolved to live and die a Catholick, as if he ſaw you at the ſtake to receive Martyrdom for it. Do you think after that he will not take upon him to direct you what Servants it is proper you keep, how many Horſes, and when you may uſe them for recreation, and when not? At what hour Maſs ſhall be, and what is the critical minute for Dinner, Supper, and Bed-time in a well-ordered Houſe? If I had not ſeen

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the domineering Domine's extend their ſpiritual Dominion in a devout Family, much beyond theſe ſmall matters, I would have been ſilent; but Heaven knows, and ſo do you, Brother, that in ſuch Popiſh Families, where the Hen crows, theſe are but the leaſt of their inſolencies: For ſuch Women as are very ill natur'd to their Huſbands, and perhaps ſomething ugly, have little to imploy their time in but Maſſes, Litanies, Roſaries, Jeſus Pſalters, and Juniper-Lectures; and theſe are generally great Friends of the Prieſts, with whom they ſhare the Dominion of the Hen-peckt Gentleman, till poor man he is glad to make the Confeſſaries an Advocate to his devout Bed-fellow for a Play-day, that he may have leave to meet ſome few Neighbours to duſt a ſtand of Ale, which he wiſhes may prove bottomleſs, that he might not be forc't to return again to keep company by ſtealth with his Fellow-ſervant the Steward in his own Cellar, where he bribes the Butler with a ſtollen Teſter to keep counſel.

Now in this condition, dear Brother, on my next Viſit I expect to find you. By that time I ſuppoſe all things will be put in due diſcipline in your Houſhold, where, no doubt, I ſhall be welcom'd with *Friday*-Fares, and new appointed Faſting-days for my Converſion, or at leaſt driving me out of doors again; but be it as it will, I cannot forbear telling you, that the Prieſts, who have nothing to loſe, will animate you by falſe pretences to incur the Sequeſtration that will ſuddenly ſucceed your late Conviction, whereby they will confirm their yet doubtful Tyranny over your Conſcience, and then ſee what will follow. Beſides the loſs of that goes into the Exchequer, you will find a ſtrange

ſtrange growing charge for Indulgences, Maſſes for your Grandfathers, Fathers, Brothers, Siſters, and all your departed Relations Souls. Nay, if I ſhould be ſo unkind to you as to die too, 'tis not twice my Annuity would pay for all the conditional Maſſes they would ſay were abſolutely neceſſary for my terribly to be doubted Soul. Alas, Brother, you cannot conſider what a chargeable thing devotion in our Religion is, if it be accompanied with viſible ignorance, and that the Prieſt once know the blind ſide, all goes, and there is no ſign of it neither, the Jeſuits having a bottomleſs Bag, into which they throw all they ever have, or ſhall get from the fooliſh Penitents of their Order.

I could, nay would, and if provoked, will name ſeveral particular Cheats acted by the Fathers of the Society on devout Catholicks that were their Penitents, and had good Eſtates, but were almoſt undone by them in theſe late times. But I am as loth to ſcandalize them, as I am ſure they will think me by this Paper willing to do it: and therefore I ſhall omit mentioning any of them particularly, eſpecially to you who I know are ſenſible of ſome of them your ſelf. But leaving all theſe particulars, or any thing elſe that may too much reflect, I will return to the matter in hand, which is the lawfulneſs of going to Church, whatſoever they or any of their Predeceſſors have, or can ſay to the contrary.

I think I have made it plain, that neither the Popes Commands, Scandal, ſign of Faith, want of Opportunity to be ſatisfied in the ſcruples Sermons might raiſe, nor the fear of ſome future Teſt, can oblige any Lay Catholick to diſobey the Law by Recuſancy: But rather

rather notwithſtanding theſe Prieſtly Inventions, they are all obliged in Conſcience to go to Church, as long as the Magiſtrate, who gives vigour to the Law, requires it. Now I will a little touch upon thoſe things that the Law farther requires to be done by Lay perſons, not ſeeking Imployments, and ſo leave you afterwards, Brother, to your prayers and tears, that God would turn the hearts of the Rulers, if you ſhall ſtill obſtinately perſiſt in your reſolution of rather ſuffering in a crowd without reaſon, than ſave your ſelf by it.

First then, let us conſider the Oath of Allegiance, againſt the taking of which there want not numbers of Jeſuits and Prieſts that do exclaim, nor many Catholicks that thereupon fear to take it, though as King *James* well obſerved in the compiling it, there was particular care taken as well by himſelf as others, that there might not be one word in it, which might raiſe a ſcruple in a perſon willing to obey the Civil Magiſtrate.

Yet notwithſtanding, this is ſo certainly true, that I never yet could meet with one rational Argument againſt any ſentence, word, or ſyllable in it (except ſuch as were grounded on that, not only Heretical, but Diabolical Doctrine of the Popes having power to depoſe Princes) notwithſtanding this, I ſay, yet had and have the Miſſionaries ſuch full dependence on the Court of *Rome*, that a great part of them, but eſpecially the Jeſuits and their Devotes did always both then and lately ſtrive to raiſe ſcruples in the Conſciences of the more confiding ſort of Lay Papiſts, to hinder them from taking it; by that means ſtriving as much

much as in them lay, to keep ſome ready for the execution of any deſperate Attempt they might have opportunity to deſign upon the State.

Now, Brother, I deſire you would not take me to be too uncharitable in this aſſertion of mine. For to what purpoſe elſe ſhould they ſtrive to deter men from taking an Oath, the refuſal whereof is of the direſt conſequence, both to Life and Eſtate, and yet wherein there is not the leaſt thing contrary to Religion, except the renouncing all rebellious deſigns be ſuch? I wiſh with all my heart I could frame ſome other leſs reflecting excuſe, both for thoſe Perſons of Quality and leſſer perſons ſake, that have formerly and very lately by their inſinuations, not only ſcrupled, but too notoriouſly refuſed giving the Kingdom that ſmall ſatisfaction of their future Loyalty by taking it; but I fear it is impoſſible.

Now what in the name of wonder can the meaning be, that when the Law, Religion, Reaſon it ſelf, and the Example of many noble, many wiſe, many devout, many, nay moſt zealous Catholicks of the Kingdom's readineſs to take it, ſhould concur to perſwade all to do it, yet that there ſhould be ſtill a Party ſo led away by the dogmatical Authority of the Jeſuits, that without ſhewing a reaſon, dare boldly affirm it not lawful, it may be, as a ſtrong Argument, adding a forc't ſigh, with a *Miſerere* for thoſe that do take it? I ſay that there ſhould be ſtill ſuch a Party amongſt us, that on no better grounds have, and do refuſe ſo juſtifiable and neceſſary an Oath, is not only a great wonder, but a terrible ſcandal to all thoſe of a contrary Religion.

They

They no doubt (and it may be not without Juſtice) do believe there wants only opportunity for Catholicks to renew all thoſe bloody Stratagems againſt the State the Predeceſſors of the Refuſers of that Oath did unſucceſsfully attempt, though we in our private diſcourſes do never ſo much pretend to abhor them.

For when they reflect, that few or none of us but hold the Pope can abſolve us from any Oath we have or can take, and that many of us reſolve not to ſtand in need of that, but to refuſe all Oaths that ſhould oblige us to the performance of our duty to the King; how can ſuch, not having any violent propenſity of love to us, but believe that there is ſome damnable deſign lockt up in the breaſts of ſuch Refuſers, in which the others may cloſe when it is ripe, there being no more hold of them than of a wet Eel by the tail, ſince an abſolving Bull upon the Gates, or for a need on the ruines of *Pauls*, makes the Government and us as much ſtrangers, as if we never had ſeen one the other?

Now I proteſt, when I have ſeriouſly reflected on ancient Popiſh Plots, on ſome ſorts of Tenets, which we almoſt think Catholick, as this of the Popes Power of Abſolving from Oaths, which Proteſtants believe, nay and ſome Catholicks too, means from Allegiance, and on the obſtinacy of us to refuſe the Commands of the Law in things indifferent; I ſay, when I have reflected on theſe things without the prejudice given me by my Education, I have wondred the Laws againſt us have not been more ſevere than they are, nay that they almoſt ſuffered a people, of whom they could have no more certainty in State-affairs, and ſo apparently declared humble Servants to a Foreign Authority, to live at all amongſt them. Now,

Now, Brother, I will not at all diſpute the lawfulneſs in Religion to take the Oath of Allegiance, ſince I know you have taken it, and are not yet ſo abſolutely bigotted to the Obedience of the ſpiritual Commands of your Ghoſtly Tyrant, but that you be ready on requiring to do it again; ſo that a diſcourſe of that nature would be needleſs to you. But for all that, I will a little glance on that Propoſition ſo generally accepted of, the Popes having power to abſolve at pleaſure any perſon from an Oath he hath taken.

Now that he has undertook to do this, is beyond contradiction, and that ſeveral changes and revolutions in Affairs of the World, both private and publick, have thereupon happened, is as plain. But by what Authority he at firſt aſſumed that Power, I believe is not, and may be worth a rational Catholicks inquiring after, that he may the better know how with a good Conſcience (that will hold teſt before the Popes Superiour at the laſt Tryal) to demean himſelf in a Country, whoſe Magiſtrates are of another Religion.

Now as a ſtep towards this matter, I will beg leave of his Holineſs to believe there were men in the World, and Governments too, before there were Popes; and that there were too amongſt them certain Moral Rules, by which they began, continued, and increaſed in the World. Now no doubt amongſt many others there were ſolemn Compacts confirmed by overt Acts, which they accounted Sacred; and whoſoever after having entred into ſuch Holy obligations, did violently break them, were by the reſt of mankind either extirpated, if dangerous, or deſpi-

ſed, and never more truſted, if weakly ſo perjur'd.

Now it will as certainly follow, that new Accidents and Revolutions in Common-wealths or Families, might make it morally neceſſary, that the obligations lying upon one or many perſons therein, by ſuch ſacred tyes, ought to be broke for the ſafety it is poſſible of the whole. An obſervation of which Mankind ſoon found out Methods to diſtinguiſh perſons ſo neceſſarily acting againſt thoſe ſacred tyes which we call Oaths, from ſuch as wilfully deſpiſed them; That the firſt ſort, though breaking their Vows literally, might be kept from the ſcandal and puniſhment of Covenant-breakers, whilſt the laſt ſhould remain ſtill under the laſh of the Law, or contempt of their fellow Creatures.

Humane Nature falling neceſſarily under theſe circumſtances, it was requiſite to appoint or agree upon ſome Judgment, which ſhould be abſolute in the point of determining when men were perjur'd by breaking their Vows, and when not, to which perſons naturally would have recourſe before they attempted the doing of it.

Now theſe Compacts, Oaths, or Vows were uſually either in Temples, with the aſſiſtance of the ſacred Miniſters made, or at leaſt ſworn by the Deity or Deities, to which ſuch people were devoted; and therefore Conſultations concerning the neceſſity of altering thoſe Reſolutions, were uſually had with the chiefeſt of thoſe Heavenly Officers: and for this reaſon amongſt ſome, other Princes of large Kingdoms did in ancient time keep the chief Celeſtial Character united to the Regal.

For

For Experience ſhewed, that men naturally ſeeking liberty, began to pervert that obligation which Nature taught, of omitting the performance of Vows, extremely prejudicial to ſociety, into a belief, that there reſided a power in theſe Spiritual Judges of the neceſſity abſolutely to abſolve at their diſcretion any perſon they pleaſed: So quickly the one through ambition of having ſuch an Authority, and the other finding a convenience to ſatisfie their looſe appetites, if they bribed the Poſſeſſors of this Divine good pleaſure, did almoſt acquieſce in this unreaſonable belief, that there was a Power delegated from Heaven to certain men, which made them Gods below: And that ſuch perſons had a power to make that at their good pleaſure no ſin, which in it ſelf, if there be any good thing or bad, muſt naturally be ſo.

This indeed was the general practice of the ancient World before Chriſtianity; inſomuch that *Moſes* the moſt Divine Law-giver amongſt them, did take it to himſelf, though he is far from being commended for it by our Saviour, when he ſpeaks of the Jewiſh Priviledge or general Diſpenſation from one natural Oath, which is Marriage, that *Moſes* was pleaſed, by virtue of this Authority he aſſumed to himſelf, to leave to that whole Nation.

For our Saviour plainly ſays, this Power did not come from God, but was aſſumed by *Moſes* for the hardneſs of their hearts, and that all that Diſpenſation notwithſtanding to put away a Wife, except for the caſe of Adultery (which ſeems a natural diſſolution of the compact) was a ſin.

So that I conclude: Our Saviour who had almoſt as much Authority as the Pope, never did pretend to any like that of making things in their own natures ſinful, to become none; but taught, that it was not in the power of *Moſes*, nor any man elſe to do it.

Then let us deſcend to times ſucceeding that fulneſs of it which produced the Redemption of Mankind. S. *Paul* teaches ſufficiently the neceſſity of keeping Vows; and I do not find his Holineſſes Predeceſſor S *Peter* very frequent with his Diſpenſations. But leaving them, and haſtening to thoſe Ages, in which through the Piety of Chriſtian Emperours, the Popes had arrived to a competency of temporal, as well as plenitude of Spiritual Authority in the World; We do not find for ſome Ages after, that though ſeveral Emperours turned Arrian, any Pope pretended to an Authority of diſpenſing their Subjects from the Oaths of Fidelity they had taken to them.

But it is poſſible ſome may, and not impertinently, anſwer, There was then ſcarce ſuch a thing in the World as an Oath of Allegiance; therefore Diſpenſations from what were not in being, could not be expected.

To this I aſſent, and do well know Chriſtian Religion in its Primitive Innocency taught obedience from the Laws of Nature, which ſome called Conſcience, and did not ſuppoſe any perſons truly toucht with its divine Doctrines, could need any other obligation to perform their duties either to God or their Neighbour, than what their ſacred Initiating Vow of Baptiſm laid upon them. And ſo far I believe the Quakers, not without a true hint, that they needed one amongſt

amongſt another no other affirmations but Yea and Nay, and that they guided their Converſations by the true Rule Nature had taught them, which the Quakers call the Light within them.

But when Religion became National, and that many wicked people took the name of Chriſtianity more for worldly than heavenly advantage, then were they forced to have recourſe to new ſort of ſolemn Oaths, taken either in Publick Churches, where Kings did likewiſe condeſcend to take new invented Coronation Oaths, and the People Oaths of Subjection in return. In the management of which Ceremony, the Biſhops were the chief Officers, which by degrees hankt a great reſpect to them, and they not a little ambitious of more, taught the dependency of Subjects and Princes one upon the other, not to be from the Laws of Nature, but from theſe Compacts, which their Authority and nothing elſe could make Sacred.

Theſe dangerous Tenets Princes not only at firſt connived at, but made uſe of. For the greateſt part of the World being then ſhifting Subjection from the Roman Empire to native or more neighbouring Dominions, was ſhatter'd into petty Regencies; ſo that the Biſhops, who preſerved a kind of Unity of their diſtinct Authorities in that of the Roman Sees, had a greater power over the common peoples minds, than thoſe Kings of Counties had. So that indeed Dominion was often transferred from lawful Princes that durſt ſtomach theſe ſpiritual Uſurpations, to Uſurpers that would truckle to the Clergy for their good word to prefer them.

Thus all things becoming again as in the firſt corruption

ruption of humane Nature, where every body were forced to ſecure themſelves from violence and oppreſſion by obligations, they believed moſt ſacred Oaths invented or formed by Popes and other Biſhops became the Method; which when there was a neceſſity of breaking, then they were conſulted with as perſons beſt able to judge of that neceſſity, and above all of them the Pope, as the moſt eminent, and then thought moſt diſintereſted Biſhop, he being well provided for in Temporalties, and very much eaſed from ſuch entire ſubjection to the Civil Magiſtrate, as other Biſhops in particular ſtill remained under; ſo from an unprejudiced aſſiſtant to Conſcience, he by frequency of Addreſſes became at length an Umpire, then in a manner ſole Judge of what Oaths or Compacts remained ſacred, and what by contingencies ceaſed to be obligatory. So by degrees, as naturally all men aſpire after Power, he took upon him to give, and the World accepted from him of courſe Diſpenſations from any Vows were troubleſom either to their affairs or appetites; and it may be, if he could have ſtopt here, the World and moſt Princes in it would have been contented ſtill to have made uſe of this impoſſible Power he had aſſumed; but at laſt they flew to ſuch Practices, as diſturbed, nay deſtroyed their own Soveraign, the Emperours that oppoſed their inſolencies, and attempted no leſs againſt moſt Chriſtian Kingdoms: nay to ſuch a height were they arrived, that few Kingdoms but muſt owne they did at one time or other receive a new Race of Kings from their appointment. And though ſeveral of them, as particularly this Kingdom, have by Gods Providence received

ceived again their natural Princes, yet was it long firſt, and perhaps not truly in this Nation, till King *James*'s aſſuming the Crown. But this exceſs, as well in their extention, as execution of their uſurp't Authority, alarm'd the World, and put that upon new Conſultations for its ſafety againſt a Power which pretended to the depoſing of Princes, and alteration of Governments, without ſo fair a warning as the beat of Drum. This produced our Statute of *Præmunire* againſt any perſon that ſhould bring a Bull from *Rome*, and that as early as *Richard* the Second's days, wherein it is likewiſe provided, That if any Nuntio, Legate, &c. ſhould preſume to ſet foot in this Nation on a Meſſage from the Pope, without having firſt procured the Kings Licence, he ſhould be proceeded againſt as an Enemy to the State.

This and many other Laws of the like kind made both in this Nation and other Kingdoms about thoſe times, ſufficiently ſhew how weary and afraid the Catholick World were grown of the Popes Pride and Uſurpations.

But to return to the matter: If we will be ſo fooliſh to allow all things may lawfully be done, that have ſucceſsfully been ſo, then the Popes have not only a Power to abſolve all perſons from their Oaths and Compacts, but likewiſe to alter the Government of Nations, and diſpenſe to Subjects their natural obediences to their lawful Soveraigns, which are Tenets few Roman Catholicks in the World do hold to the full, and ſuch as do, it is pity ſhould be ſuffered to breathe any Air in ſafety but that of S. *John's de Lateran*, or the *Vatican*.

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But not to leave the matter fully as I found it upon doubtful Suppoſitions, whether they have any Authority or no to diſpenſe with any ſort of Vows whatſoever, I will proceed to divide all ſorts of Oaths in the World under theſe three ſeveral kinds.

Firſt, Oaths to declare ones aſſent, or to ſtrengthen ones duty in performance of ſuch things as the Law imprinted in every rational Soul does require, ſhould however be done.

Secondly, Oaths of Compact between Prince and Prince, State and State, or private perſon and private perſon, &c.

Thirdly, Voluntary Vows or Oaths to perform ſome Religious exerciſe or function, &c.

Under theſe three Heads I conceive all Oaths that have ever ſeemed to need or require Diſpenſation, do fall. As from Oaths in Evidence, thoſe come not under our conſideration.

Now in the firſt kind, neither the Pope, nor any Power that is, or ever was viſible on Earth, could or can diſpenſe; for that implies an Authority to give leave to commit things *malas in ſe*, and under this Head does clearly fall obedience of Subjects to their Princes, Children to their Parents, &c. things that, if there never had been Religion, would have no ſooner loſt their reſpect, but humane Nature would have loſt its being by running into perfect confuſion, which would quickly have produced its perfect extirpation. So that Oaths of this kind were not invented to create, but to keep in memory our duty: And where, upon great confuſions in, and alterations of a Commonwealth, they have ſeemed to be otherways, in ſuch

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caſes they will fall under the next Head.

Which are Compacts ratified by Oath for mutual convenience. Theſe no power on Earth, neither ever could or had Authority to diſpenſe with, except by conſent of all Parties to the Bargain or Agreement; for to affirm the contrary, would imply ſome one perſon ſtill remaining in Mr. *Hobbs* State of Nature, preſiding over all his Leviathans, who ſhould not only have a right to every thing in the World, but to break and diſſolve all the Government of it at his pleaſure, and indeed to annihilate humane Nature it ſelf. But though no ſingle perſon ſimply can have this Power of diſpenſing the performance of Compacts, yet have the Compactors themſelves the undoubted Right of releaſing one the other without conſultation of any perſon unconcerned in the World.

Yet have Popes not only in the firſt, but likewiſe in the laſt, often put in their fingers, as particularly in the *Hungarians* fatal breach of ſolemn Faith, to the which puniſhment viſibly ſhowr'd from Heaven on the perjur'd Army, owned by many Catholick Divines almoſt as miraculous, has ſufficiently evidenced to the World what little confirmation above is of ſuch impious and deſtructive Diſpenſations. But when the Compactors themſelves diſpenſe one the other, no body bogles or ſtarts at the breach of the Oath, as we ſee lately in *Holland*, where the States General diſpenſed the Prince of *Orange*, themſelves and the Country of an Oath taken againſt State-Holders, which I have not yet heard of any man ſo ſay was not lawful for them by mutual conſent to do. Though I know, had it been a Popiſh Country, there would have been ſome

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Fees expected at the Apoſtolick Chamber for his Holineſſes unneceſſary Diſpenſation.

Thus we ſee, that Oaths in themſelves diſpenſable, are eaſily by the proper perſons diſpenſed, without the Authority of a heavenly Delegate, who can never arrive to a greater Dominion rightfully in the matter, than as a perſon whoſe diſcretion is proper to adviſe with, and can only be that too to ſuch as are pleaſed freely to think him ſo.

But as for the laſt branch of Religious Vows, the Author or Preſcriber of the form and faſhion of the thing to which they ſwear, may have power to abſolve at diſcretion from the performance of it; and I will not ſay but in our Church this may be the Popes Province, which if he pleaſes to keep within, he may; but if he will be ſtill medling, without being called, with other mens concerns, let him for me; but I fear it will be but to very little purpoſe; Kings and Governours being now wiſer than to be over-aw'd too much by his Pragmatical cenſures.

Dear Brother, think not I have treated thus long upon Vows and Diſpenſations to inform you or any man elſe in this Age, who are wiſe enough without my help to know that all this boaſted Power of the Popes to diſpenſe men from Oaths or their Allegiance, has no foundation in Reaſon or Religion, and is only bolſter'd up with Examples of the ſucceſs of ſome former Biſhops of *Rome* in their inſolencies; which way of arguing is juſt of the ſame Authority, as if I ſhould, to prove the piety of High way robbing, tell you the ſtory of the late famous *Hind*, who living many years on that profeſſion, yet had the honour to dye for his

Loyalty

Loyalty to his Prince, and not as a Thief.

But paſſing all theſe things over, I do conclude, it is not only lawful to take the Oath of Allegiance, but to keep it when we have done, nay that we are obliged to do the laſt under pain of eternal damnation, let the Pope ſay or diſpenſe the contrary how he pleaſe. And further I do affirm, no rational man can prove the contrary ſufficiently of the other Oath, notwithſtanding its Bugbear name of Supremacy.

Nay now he's quite gone beyond recovery I am afraid you your ſelf will ſay notwithſtanding all brotherly affection, and then you'll go on in crying there was ſome hopes of recovering me to the Catholick Religion, whilſt I only pleaded for going to Church and the Oath of Allegiance, but to ſay it is lawful to take that horrible terrible Oath of Supremacy, ſhews me a confirmed Heretick, ready to take the Teſt on the firſt opportunity for an Imployment.

But, Brother, I deſire you to ſuſpend your cenſure of damnation againſt me, leſt you prove as raſh in it, as the Pope was that firſt Excommunicated this whole Nation in Queen *Elizabeth*'s time. For no doubt he and ſeveral of his Succeſſors ſince have in their minds ſecretly repented ſo inconſiderate an act, though they will not acknowledge it, by taking off that cenſure, till ſome previous Action of the Nation requires it, which I am not like to live to ſee. My reaſon for this Suppoſition is one of the motives of my aſſerting the lawfulneſs for us of taking the Oath of Supremacy. For what reaſon can there be for our refuſing to do ſo, ſince he refuſes all ſpiritual Superiority over us, and the King accepts it, and in theſe two points conſiſts

the whole ſcope of this Oath? It requires me to ſwear the Pope has no Authority over this Kingdom. And if I will take his own honeſt word, he has not, nor will not have. What can be better than his own moſt ſolemn Excommunication to prove it?

The next Point I am to ſwear, is, That the King is Head of all Perſons and Affairs as well Eccleſiaſtical as Civil in theſe his Dominions, which no perſon that hath his right wits I think can deny, as the caſe now ſtands. For if ever the Popes were Heads or Supreme in Eccleſiaſtical Affairs within this Nation, they have long ſince, by an Act of their own as well as of the Nations, ceaſed to be ſo. Therefore if any be, it muſt be the King, ſince the Law ſays ſo; though it be worth inquiring as to this point, how the Law means him Head of Eccleſiaſtical matters.

Firſt, I ſuppoſe it means Head of that Church and the Eccleſiaſtical Affairs therein that is eſtabliſhed by Law. For it cannot mean any other, ſince we ſee a power of Diſpenſation contrary to Law for the moſt minute diſſenters, to meet in another Form of ſerving God, has been controverted. Not to ſay more of the point therefore: if there muſt be but one Religion eſtabliſhed, and no other tolerated, then the Law only intends him Head of that, which the Pope himſelf will not deny him to be. So I ſuppoſe I may lawfully ſwear him that, which no other perſon ever did or can pretend to beſides. Now this matter having been excellently well treated of and handled in former times by ſome learned Caſuiſts, when the Intention of the Law, in the point which commands the Oath, was not ſo plain as the Law-makers by late paſſages ſeem

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to make it; I ſay, ſince many good Catholick Caſuiſt Prieſts have writ in defence of the taking it in former times, I will omit to preſs that further, which to me appears plain; reſolving however, if you ſhall ſend me your doubts, of this or any other point diſcuſſed herein, that I will readily anſwer them to the beſt of my ſkill, being ſatisfied in my Conſcience, that I have ſaid nothing herein ſcandalous to Catholick Religion it ſelf, nor to any one but ſuch that make that the ſheeps raiment for wolviſh deſigns.

So, Brother, once again I deſire you to take into your ſerious conſideration, what it is to loſe a good Eſtate, not for conſcience, but ignorance, to make your ſelf uncapable of doing ſervice to your Prince, when there may be occaſion; but above all, what ſcandal you ſtamp on the Religion you profeſs, if you obſtinately and without reaſon ſhall perſiſt in diſobedience to every thing the Law appoints the Subjects of this Nation to do.

As for your expectation of aſſiſtance from the King, it is one of the moſt unreaſonable things, examine it rightly, that can enter into the heads of men, whether you take it quadrate to his perſonal or rational Intereſt.

For alas, to ſay the Catholicks of this Nation were all loyal, or rather truly not diſloyal to his Father and him, is but to make a Hiſtory of a very ſhort Age. For all the World knows, that it is as poſſible for Catholicks to be Rebels, if it conſiſts with their Intereſts, as any other men; for he that ſhould deny this, might as well affirm we had no ſuch thing as Rebellions in *England* before *Henry* the Eighth's time, which I ſuppoſe,

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poſe, if he would conſider how King *Johns* Charter of Priviledges was extorted from him, he would by no means aſſert. But alas, let us ſay what we will on this ſide the Water, our Brethren in *Ireland*, we know too well, led the dance to all the late miſchiefs, except now I reflect on it, they were out-poſted by the Covenanters of *Scotland*. But indeed it is a folly to expect that any Religion, being once become an Art, will refuſe to have recourſe to the Sword againſt being oppreſt, and I am afraid it is much for want of numbers proportionable, the beſt of them are quiet in ſuch circumſtances.

But however ſuppoſing the beſt, that all Catholicks were loyal, and that their Principles made them ſo, is that an Argument ſufficient to make the King provoke all his other Subjects to be otherways by his Indulgence to them, who are not as one man to a hundred of the Nation? Which is moſt reaſonable, that you, dear Brother, ſhould ſtrive as far as you can by the Rules of your Religion to comply with the Law for your own advantage, or that the King ſhould be forced to ſtop the courſe of it to his own prejudice to comply with your nice obſtinacy, meerly becauſe he has your bare word, that you will be very ſerviceable to him? If another Rebellion ſhall on that account ariſe, I am confident the caſe thus ſtated, as certainly it does at preſent ſtand, all rational men, nay the Pope himſelf, would conclude, that the King in not medling, but letting the Law and you tug for it, is much in the right. Nor could he himſelf, were he a Subject of any Catholick Country, expect more friendſhip or favour. So for whoſe ſake this happens

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to you is not material, ſo it is, and is like to be. Therefore let me once again adviſe you, go to Maſs at ſeven, to Church at nine, and if Mr. Politick ſcruples giving you Abſolution for your ſins, except you confeſs that for one, ſend to me, I'le find you one ſhall venture his neck in the point to ſerve you for twenty pounds a year, which you may eaſily ſave out of the two thouſand that is *demitia* except you follow my counſel, and deal with none but honeſt Catholick Prieſts, not Roman Courtiers, Men that aſpire to be Provincials, nay perhaps General of their Orders for their ſturdy tricks in oppoſition to our Laws. Theſe things I have ſaid are great truths, that you will thank me for one day, if you follow the advice; if not, you will repent your ſelf, when you ſhall be aſhamed not to perſiſt contrary to reaſon in what you ſo unreaſonably began.

I could, Brother, have ſaid much more to the Point, which it may be I will add as I find you reliſh this; till when I ſhall remain, ſaying *Paters* and *Aves* for the opening of your underſtanding to your own good: So farewel.

FINIS.

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